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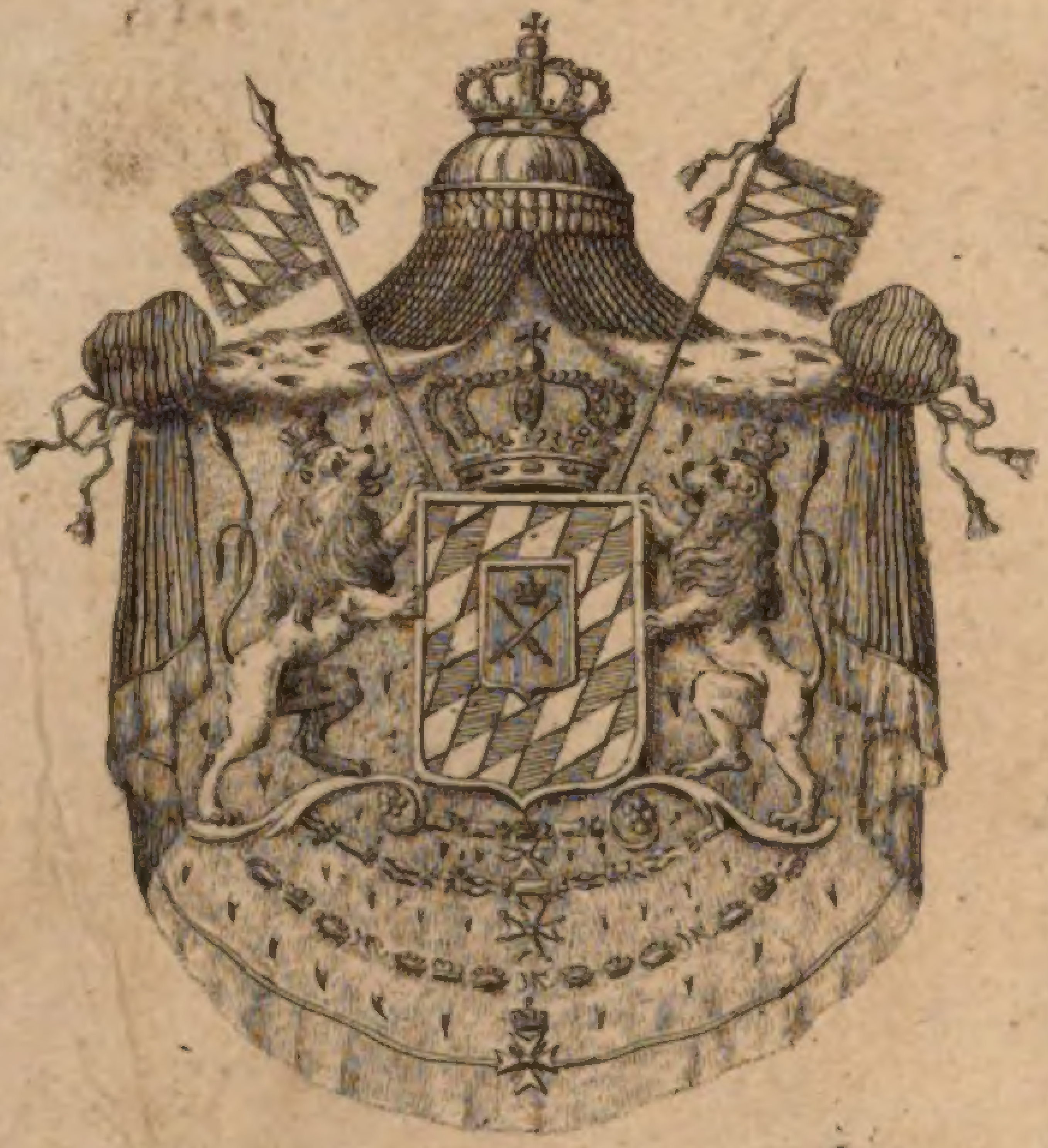

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Historical Collections

The Fourth and Last Part.

IN TWO VOLUMES.

VOLUME the FIRST.

Containing the

PRINCIPAL MATTERS

WHICH HAPPEN'D

From the Beginning of the Year 1645, to the Death of King CHARLES the First, 1648.

Wherein is a PARTICULAR ACCOUNT of the Progress of the CIVIL WAR to that Period.

IMPARTIALLY RELATED.

Setting forth only Matter of Fact in Order of Time, without Observation or Reflection.

By *JOHN RUSHWORTH* late of *Lincolns-Inn*, Esq; Fitted for the Press in his Life-time.

VOLUME the SIXTH.

LONDON,

Printed for *D. Brown*, *J. Walthoe*, *J. Knapton*, *R. Knaplock*, *J.* and *B. Sprint*, *B. Tooke*, *E. Bell*, *J. Darby*, *D. Midwinter*, *J. Tonson*, *S. Buckley*, *B. Cowse*, *J. Osborne*, *R. Robinson*, *J. Round*, *S. Burrows*, *F. Clay*, *E. Symon*, and *T. Wotton*. M.DCC.XXII.

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PREFACE

To the *Fourth Part* of *Historical Collections.*

THE good Reception that Mr. Rushworth'*s former Volumes met with, gives the Publishers ground to think that these two last will fare no worse; his Method is the same, his Materials as good, and the like continued Thread of Impartiality runs through the whole. The Period of Time, of which these Two Volumes contain the History, was one of the most remarkable for Transactions Ecclesiastical, Civil and Military, that ever this Nation saw; and the account of those Transactions here exhibited, is more large, more particular, and more authentick, than any thing on that Subject which hath yet appeared in publick. Our Author tells us in the beginning of this Fourth Part, "That the province " he had undertaken, was to consign to Posterity overt-acts, without ei-" ther judging of their qualities, or diving after the secret Reasons of " them, in assigning which, Authors many times relate their own Con-" ceits, rather than the true Motives which induced the Actors to such " Revolutions. Therefore we are not to wonder, nor to look upon our selves as disappointed when we find him thus sparing of his Reflections and Conjectures. This want (if it may be properly call'd by that name in an impartial Historian) is sufficiently made up by our Author's diligence in collecting the publick Papers and Debates on all sides, and his faithfulness in giving true Transcripts of them. As this is the fairest way of conveying History to Posterity, it is also one of the best helps a Reader can have, either to make just Reflections, or to dive into the Causes of action.*

As to the Nature of the following Collections, they consist not only of many valuable things printed in those times, that are now only to be found in the Closets of the curious, but also of many important Papers that were never hitherto published, which Mr. Rushworth'*s Post, as Secretary to Sir* Thomas Fairfax, *gave him the opportunity of having* and inserting in his Collections. *Besides such Papers, there are many remarkable Circumstances, relating to Battels and Sieges, that the publick know little or nothing of, which are here related at large. The like is to be said as to many Debates in the Armies, Parliament, Treaties, and other publick Transactions in the three Nations; of which our Author many times gives us the accounts of both Parties, from persons who moved in the highest Spheres, and had the greatest concern in the things related.*

The diligence of our Author is demonstrable from the bulk of his Collections, and the multitude of things that are hardly to be found any where else; his faithfulness and integrity are sufficiently apparent, by the concurring testimonies of the Memorials of others, which have been published about the affairs of those times: And whoever will give himself the trouble to peruse what Mr. May *hath writ in his History of the Long Parliament, Mr.* Whitlock *and the Lord* Hollis *in their Memoirs, will find the most material Transactions as related in this Collection to be vouch'd by them, the two last having had a large share in many of the most important affairs they write of. And tho' the Lord* Hollis, *his Memoirs appear to some to have more of the nature of a Philippick, and declamation, full of resentments against some persons and things, than of an Historical Relation of matters, yet they are the more to be valued, in regard they give great light into many considerable actions; that noble Lord making such a figure then, and being employ'd in the management of the greatest affairs of the times, could not but be well inform'd, and have Opportunities of knowing and dis-*

covering most of the secret Springs of Resolutions and Actions; besides falling in with those of the moderate Party, who in all Controversies are generally most in the Right, and fittest to be relyed upon, cannot be so liable to be suspected of Partiality as the high-flown Cavalier, or hot-headed Cromwellian. His Lordship was for reforming Abuses, and restraining Arbitrary Power, not for overturning the old English *Constitution, which made him an Enemy to those who followed the contrary Extreams, and provok'd him to make such smart and severe Reflections upon them, and their bold and unjustifiable Deviations from their Engagements and their Duty, which, being a Man of Honour, Spirit and Integrity, he could not brook. Upon this Account it may justly be said, that the best way to arrive at a true Knowledge of the History of that Period, is to joyn the Lord* Hollis'*s Memoirs with these last two Volumes of* Rushworth'*s Collections: The latter giving a just View of the Actions of those Times, and the former the secret Causes and Springs of them.*

We come now to give a more particular Account of the following Volumes, and a short View of that Thread of History *which runs through the whole Work, which is not so obvious to every Eye, because a Multiplicity of Papers, Debates, Resolutions, Letters,* &c. *interrupt, or at least perplex the Series, by diverting the Thoughts and Attention of ordinary Readers. This was judged so much the more necessary, because the Defect could not be supply'd by an Alphabetical* Table, *which only directs to Particulars without any order of Time.*

Chap. I. *The* FIRST VOLUME *Commences with the Accomplishment of the Design of new-modelling the Army, and of passing of* The Self-denying Ordinance. *This quite alter'd the Scene, and put the Administration of Military Affairs into new Hands. In Process of Time it brought forth likewise a new-modelling of the Parliament, and at last their total Dissolution. The standing Army, which from time to time they were induced by specious Reasons to continue, became their Masters at long run, and were nothing so tender of invading the Privileges of Parliament, as the Houses were of disbanding them; the Result whereof was the Subversion of the Government. The Debates in Parliament about new-modelling the Army, are entertaining and useful; the State of the King's Affairs and his Strength, as also that of the Parliament at that time, make the great Changes that afterwards happen'd so much the more observable.* Cromwell'*s dexterous Management to bring this Design about, and to baffle that of his Adversaries, who were for laying him aside, and prosecuting him as an Incendiary, is here distinctly related. This is so much the more remarkable, that the* Lord General, *the* Earl of Essex, *the* Commissioners of Scotland, *and many others, did clearly foresee, and as plainly foretel, that he would overturn all the Measures then on foot to settle the Peace and Quiet of the Nations, and yet they had not Interest nor Credit enough to prevail against him in Parliament or Army. This gives us likewise a Discovery of one of the original Causes of* Oliver'*s Hatred to the* Scotish *Nation, under which they afterward smarted so severely; and by comparing this Transaction with the Lord* Hollis'*s Account of it, we shall find that the Destruction of the King and Government was the principal thing intended by this New Model. This appears plain from the* Earl *of* Manchester'*s Accusation lodged against* Cromwell *in the House of Lords, which the Lord* Hollis *refers to as an undeniable Voucher, because* Oliver *himself had imparted it to the Earl when he took him to be one of his own Party.*

Chap. II. *In the* Second Chapter *we have an Account of the Actions betwixt his Majesty's Forces and the new-modell'd Army, from the Beginning of the Year* 1645, *till after the Battel of* Naseby, *wherein our Author, tho'*

of the contrary Side, does King Charles I. *Justice, and fairly owns that he there acted the Part of a Gallant General, both for Courage and Conduct. Here also, as in other Places, our Author entertains the Reader with the several Relations of that Battel, from both the General Officers, and the Committee attending the Army. There is one remarkable Instance he gives us of General* Fairfax's *Modesty in refusing to open the King's Letters that were taken after the Fight, but that* Cromwell *and* Ireton *press'd him to it. The way how those Letters came to be taken, is no less observable. One of the Scout-Master-General's Spies, being sent by him to* Oxford, *to acquaint Secretary* Nicholas, *that the Parliament Army would rise from before that City such a Day, the Secretary who thought the Fellow came of his own accord, sent him with the Account of their being actually gone, to* General Goring, *who commanded for the King about* Taunton. *The General received him kindly, and thinking him a fit and trusty Messenger, press'd him to carry that Packet to the King. The Fellow seem'd unwilling to undertake it (tho' nothing could have fallen out more suitable to his Design,) for by this means he had an Opportunity of bringing them to General* Fairfax. *This single Misfortune proved fatal to his Majesty's Interest, for had those Letters been sent by a faithful Hand, they would have arrived in time to have prevented the Battel; for General* Goring *by strong Arguments, advised the King to keep on the Defensive till he joyn'd him, which he intended speedily to have done. This was not the only Inconvenience that attended the Miscarriage of those Letters, for they quicken'd General* Fairfax *in his Resolutions of taking* Leicester, *and of marching to the Relief of* Taunton. *Here you have likewise the Account of the Westerly Club-men, and what past betwixt the General and them.*

The Third Chapter *contains the remarkable and tedious Siege of* Bristol, *with all the Circumstances relating thereunto, and the Particulars of the long Treaty betwixt* Prince Rupert *and the* General, *and the Consequence of the Surrender of it; his Defence of his Conduct there, and the King's Approbation of the same, against the Insinuations of some of the Royalists, who were dissatisfied with the Prince's Management; you have there also* Cromwell's *Account of his taking* Basing-*House; the General's Account of his Actions in the West, taking of* Dartmouth, *intercepting a Packet of Letters of great Importance from the Queen; of his Victory over the Lord* Hopton *at* Torrington, *which proved so fatal to the King's Affairs in those Parts; and the Treaty concluded with the said Lord, for disbanding the Remainder of his Army, which put an End to the King's Interest in the West. At the same time a Packet was intercepted from* Ireland, *the publishing whereof proved very prejudicial to the King's Affairs.* Chap. III.

In the Fourth Chapter *we have an Account of his Majesty's Marches after the Battel of* Naseby, *the Proceedings of the Scots Army in* England, *and other Military Transactions to the end of the Year* 1645. *The most remarkable of them are, his Majesty's being defeated by* Major General Poyntz *near* Chester, *the Surrender of* Carlisle *to the* Scots, *by Sir* Thomas Glenham, *the Surrender of* Pontefract *and* Scarborough *Castles to the Parliament, and the Siege of* Hereford *by the* Scots, *and why they raised the Siege under General* Leven's *Hand. This Misfortune was laid hold on as a plausible Ground of quarrelling with them, by those who were Enemies to them and their Cause, in Parliament and elsewhere; of which a particular Account is given by our Author in this Place. Here is also an Account of the King's sending the Lord* Digby *with a considerable Body of Horse to assist the Earl of* Montrose *in* Scotland, *who had obtained several Victories over the Parliament Forces there; and of defeating the Lord* Chap. IV.

Digby *by Sir* John Brown *the* Scots *Governour of* Carlisle, *as also of the total Defeat given to* Montrose *at* Philiphaugh *not long after, which gave the last fatal Blow to the King's Affairs in* Scotland; *here we have some intercepted Letters of Lord* Digby *to Sir* Edward Hide *and Lord* Jermin, *and one from the King to Prince* Rupert, *which set the Business of the Lord* Digby's *Intentions towards* Scotland, *with the Condition of the King's Affairs, and his Resolutions at that time in a clear Light. The next considerable thing that offers, is the surprising of* Hereford *by a Stratagem, and the taking of* West-Chester *on Terms, by the Parliament-Forces commanded by Sir* William Brereton; *after this comes the Defeat of the Lord* Astley *near* Stow, *which was the only standing Force the King had left him in* England; *this we have an Account of by Colonel* Morgan, *who commanded in chief for the Parliament at that time in those Parts.*

Chap. V. *The* Fifth Chapter *gives us an Account of the most remarkable Parliamentary, and Civil Occurrences of the Year* 1645. *One of those that deserves to be notic'd is the Lord* Savill's *Accusation in Parliament against Mr.* Hollis, (*afterwards Lord* Hollis) *and Mr.* Whitlock, *as having had private Intrigues with the King, contrary to the Trust reposed in them by the Parliament, when they were sent to Treat with the King at* Oxford; *of which they were cleared by both Houses. This is so much the more remarkable, because the Lord* Hollis *in his Memoirs charges* Cromwell *and Mr. St.* John, *as the Contrivers of this Accusation. We have here the Declaration of Parliament to the States of* Holland, *concerning their Ambassadours Extraordinary, whom they charge with indirect Dealings, and misrepresenting their Proceedings to the States, of which the Parliament gives them a true Account, and complain of the said Ambassadours for making themselves Judges of the Propositions treated upon with the King, when they had heard only one Side. It is observable, that in this Declaration to the States, the Parliament takes notice of Endeavours that had been used by the Court, to engage both Armies against the Parliament by large Promises, and that the* Scots *Army in particular had rejected the great Offers of the Court with Disdain, tho' at the same time* Cromwell *and his Party did all they could (as is observed by the Lord* Hollis) *to render the* Scots *suspected of falling in with the King contrary to their Engagement to the Parliament of* England.

After this our Author gives us a second Declaration of Parliament, concerning their Proceedings with the Dutch *Ambassadours, and complains of Damages done to Shipping and Trade by both Nations. Here we have also the Proceedings in the House about Ecclesiastical Matters, and his Majesty's Proclamations in Opposition thereunto; as also the Votes of the House for sending Proposals of Peace to the King, and of Treating no more with him by Commissioners, and the King's repeated Messages desiring a Personal Treaty, with their Reasons against it, and his Majesty's Answers.*

Chap. VI. *The* Sixth Chapter *treats of Affairs relating to* Scotland, *where we have an Account of* Montrose's *Exploits, and his total Defeat at last; of a Remonstrance sent the King by the General Assembly of the Church of* Scotland, *wherein they deal very freely and plainly with him, and of Letters from the Parliament and General Assembly of* Scotland *to the Parliament of* England *and the Assembly of Divines, their pressing the fulfilling of Treaties, and Settlement of Religion.*

The Seventh Chapter *treats of* Irish *Occurrences, and of Affairs relating thereunto in the Year* 1645, *particularly of the Defeat of the Rebels in* Ulster *by Sir* Robert Hamilton, *and the killing of the Popish Arch-bishop of* Tuam, *whose Papers being seiz'd, they discovered his Correspondence at* Rome *and* Paris, *and the Articles agreed upon by* the Earl of Glanmorgan, *and the chief of the* Irish *Rebels, whereof our Author gives us a Copy at large. This is so much the more observable, because that Earl pretended the King's Authority, and was committed on that Account by the Lord* Digby. *We have here likewise a Copy of that Paper which the Earl call'd his Majesty's Authority, and a Letter from him to the King, wherein he promises his Majesty Ten thousand Men.* Chap. VII.

The Eighth Chapter *contains Civil and Military Transactions from the Beginning of the Year* 1646, *till the Kings coming to the* Scots *Army, and some Passages depending thereupon. The first thing is the severe Vote past in Parliament upon a Rumour, that the King intended to come privately to* London. *The next is the Parliamentary Debates with the Commissioners of* Scotland, *about the Propositions to be sent to the King. The Papers delivered in by the* Scots *on that head, incensed the Houses to that Degree, that they ordered the Preface before them, written by another Hand, to be burnt by the Hangman; and issued out a Declaration of their Intentions to maintain the fundamental Government. Here we have an Account of the Surrender of* Bridgewater, Exeter *and* Barnstable *to the Parliament; of the King's Letter to the Marquess of* Ormond, *about his going to the* Scotch *Army, and his Reasons for so doing. Of the Parliament's Votes, making it Death and Confiscation for any Person to conceal the King; also their Votes upon hearing he was come to the* Scotch *Army; The* Scotch *General's Letter to the Parliament concerning it, declaring the Surprise of the Army at it, and that there had been no Treaty betwixt his Majesty and them in order thereunto. We have likewise the Declaration of the* Scotch *Commissioners, in Behalf of their Nation to the same purpose, wherein they give Reasons to prove the Falshood of what is alledged concerning the same, from the King's Letter to the Marquess of* Ormond. *After this we have the King's Message from the* Scots *Army to the Parliament of* England. Chap. VIII.

The Ninth Chapter, *gives an account of the Siege and Surrender of* Oxford, *the Surrender of* Banbury, Worcester, Wallingford, Ragland-Castle, Pendennis, *and the taking of* Conway. *With many material Circumstances relating thereunto.* Chap. IX.

The Tenth Chapter *gives the Transactions after his Majesty's being at* Newcastle, *betwixt him and the two Houses and the* Scots. *Here we have the Marquess of* Argyle's *Speech to both Houses, upon the Consent of the* Scots *to the Propositions of Peace; the Desires of the* Scots *concerning their Armies in* England *and* Ireland, *and that all Armies be disbanded; the Declaration of the* Scots *Army as to their Integrity; their Petition to the King, and his Majesty's Answer; his Majesty's Letter to the Marquess of* Ormond, *to Treat no more with the* Irish *Rebels; the Votes of the Commons, that there was no further need of the* Scots *Army; Letters from the General Assembly of* Scotland *to the Parliament of* England, *to the City of* London, *and to the Assembly of Divines. Next the Proposals of Peace to his Majesty from both Houses, the King's Answer to their Demands; Namely, that he should surrender to them the Garrisons in* Ireland; *the Parliament's rejecting of the* French *King's Offers of Mediation betwixt the King and them: The carrying off the Princess* Henrietta *to* France. *The Lord Chancellour of* Scotland's *Speech* Chap. X.

Speech to the King, about the Propositions of Peace, and his Majesty's Answer to the said Propositions.

Chap. XI. *The* Eleventh Chapter *acquaints us with the Transactions with the* Scots, *concerning the Removal of their Forces out of* England, *the Disposal of his Majesty's Person, and other intervening Occurrences to the bringing of the King to* Holmby-*House. Here we have the* Scots *Papers to the Parliament upon those Heads, their Account of the Arrears due to their Army, the Exceptions made to their Accompts, the Debates upon't, and the Agreement at last concluded upon. This Transaction deserves particular notice, because it was the Subject of many differing Reflections, and the Occasion of many Invectives against the* Scotish *Nation, of whose Integrity and Reputation in the whole Management and Conduct of that Affair, there seems to need no greater Proof, than what is evident by these Papers, and what the Lord* Hollis *says in their Vindication,* "*Who* "*charges* Cromwell *and his Faction with being the Authors of much Injustice, Treachery, and Disingenuity towards the* Scots, *and Promoters* "*of all those Slanders that were raised against them, and the Occasion of* "*the Country's suffering so much by their Army, which was forc'd to take* "*Free-quarter, and levy Contributions, because the Provisions and Money* "*that they ought to have had by Agreement, were by means of that Faction* "*fraudulently detain'd from them. The Design of the Party in treating* "*the* Scots *thus, was, that they should either disband and go home, or to* "*provoke the Country to rise and fall upon them, that so the Nations* "*might have been engaged in a War against one another, and all Possibility of Accommodation with the King frustrated; all this is to be seen* "*at large in the Lord* Hollis's *Memoirs, page* 66, &c. *The next remarkable thing in this Chapter, is the Debates betwixt the Parliament and the* Scots, *about disposing of the King's Person; the Papers Pro and Con are inserted; there you have the Arguments made use of by the* Scots *Commissioners, to perswade the King to sign the Propositions of Peace sent him by the Parliament; His Majesty's Answers; The Letter to the Duke of* Hamilton; *The Votes of the House upon the* Scots *Papers; The several Speeches of the Lord Chancellour of* Scotland, *to the Committee of both Houses upon that Head; The seizing of the* Scots *Papers at the Press by order of both Houses; The Answer of the Commons to those Papers; Speeches on that Subject; The Ordinance of both Houses for selling the Bishops Lands, and the Conditions on which the* Scots *were to leave* England. *Our Author is very particular on this head, and makes it evident, that the Four hundred thousand Pounds agreed to be paid the* Scots *for their Arrears, had no Relation at all to any Bargain or Agreement about the Disposal of the King's Person, as hath been asserted by some ignorant and mistaken Persons, but only that upon Payment of one Half of that Sum, they should deliver up the Garrisons they had in* England *and march home; and for the Payment of the other Half, they should have the publick Faith of the Nation. Mr.* Rushworth *assures us, that hitherto nothing was agreed upon touching the Disposal of the King's Person, but that it was concluded on as the Commons had Voted before; that the same should be no Hinderance to the marching away of the* Scots *Army. This, with what the Lord* Hollis *says in his Memoirs, page* 67, &c. *sets that great Transaction in a clear Light, where he says expresly,* "*That the* Boutefeus *had one Hope left, which* "*was to quarrel at last about the Person of the King, believing the* Scots "*would certainly have taken his Majesty with them into* Scotland; *this* "*they knew had been Ground sufficient, and would have engaged all* England *against them, giving a Confirmation to all the Jealousies formerly*

raised,

"*raised, and occasion'd a thousand more, and had certainly more advantaged the Design of those who thirsted after the Destruction of the King first, the* Scots *next, and then all such as desired Peace within this Kingdom, and had made them a smoother way to their damnable ends; the altering of the Government, and bringing in a Confusion both in Church and State, than any thing that could have happen'd. And a little further he adds.* "*But the Wisdom of the* Scotish *Nation foresaw the Inconveniencies which must have necessarily followed, had they been positive at that time; how they had play'd their Enemies Game to their own Ruin, and even Ruin to his Majesty; therefore they made for him the best Conditions they could, that is, for the Safety and Honour of his Person, and to avoid greater Mischiefs, were necessitated to leave him in* England, *and so march away; which they did in* Feb. 1646. *Then afterwards he says,* "*This gave such a Reputation to them, and to those that appear'd for them, (that is, so far for them, as to endeavour the doing of them Right, and prevent the Practices of those who sought all means of doing them Wrong) and gave such a Blow to the other violent Party, so broke their Power, and lessen'd their Authority in Parliament, as it made way for obtaining those Resolutions which were presently taken for disbanding Sir* Thomas Fairfax's *Army.*

There is another Author that had great Opportunities of knowing many of the Intrigues of those Times, who gives further Light in this Matter, and plainly discovers how the King was imposed upon by Cromwell *and the Army, and deluded into an obstinate Refusal of complying with the Proposals of the Parliament, and the Desires of the* Scots *whilst he was with them at* Newcastle; *that is Col.* Joseph Bamfeild, *in his Apology Published* An. 1685, *who, page* 16, &c. *says,* "*That* Cromwell, Ireton, *and their Party, imposed a Belief upon some of the greatest and best of the King's Friends, that the Army would restore him upon his rejecting the Parliament's Propositions,* &c. *And that they might possess his Majesty with the same Opinion, they conniv'd at the Escape of a Clergy-man,* (who by the Circumstances must be Mr. *Hudson*) *out of the Tower, who had Credit with the King, and was an irreconcileable Enemy to the Presbyterians and* Scots; *This Clergy-man having Instructions from some of the greatest and wisest of the King's Friends, that were imposed upon by* Oliver, *as before-mention'd, came secretly to his Majesty at* Newcastle, *prevail'd with him to reject the Parliament's Proposals, and possess'd his Majesty with Hopes of being restored by the Army; Which makes it Evident, that he was delivered* by the Scots *to the Committee of the Parliament of* England, *by the underhand Procurement of the King himself and his Friends, without the* Scots *knowing any thing of those secret Managements betwixt the King and the Army.* Col. Bamfeild *was so sensible of the Cheat contrived by* Oliver *and his Party in this Matter, that he acquainted the Marquess of* Hartford, *one of his Majesty's chief Friends, with it; but the Marquess himself was so far deluded by* Oliver's *false Promises, that he advised Col.* Bamfeild *to forbear opposing it, and told him he was suspected by the Clergy to favour the Presbyterians more than the King,* &c. *So that all the Colonel could say in his own Vindication, or for the King's Safety, was to no Purpose. But to return to our Author; the other remarkable things in this Chapter, are the Parliament of* Scotland's *Instructions resolved on, to their Commissioners; The Solemn and Seasonable Warning of their general Assembly, which occasioned an Alteration in those Instructions, the King's Message to both Houses, and the Commissioners of* Scotland *for a Personal Treaty; The*

Votes

Votes of both Houses about the King; Their appointing Commissioners to receive him from the Scots; *His Majesty's Queries to the* Scots *Commissioners upon that head, with their Answers; The Parliament of* Scotland's *Letter to the Parliament of* England *about delivering his Majesty, and the Declaration of the Kingdom of* Scotland, *shewing on what Terms their Army received his Majesty, and for what Reasons, and on what Terms they delivered him to the Commissioners of the Parliament of* England: *The Reasons for their delivering him, were his not giving a satisfactory Answer to their Propositions, their earnest Desire to keep a good Understanding betwixt the two Kingdoms, to prevent new Troubles within the same, to satisfy the Desire of his Majesty, of the two Houses of Parliament in* England, *and of the Parliament of* Scotland, *for his Residence in some of his Houses, near the Parliament of* England; *the Terms on which they deliver'd him, were that he should go to* Holmby-House, *or some other of his Majesty's Houses as should be thought fit, there to remain till he give Satisfaction to both Kingdoms in the Propositions of Peace, and that in the mean time there be no Harm, Prejudice, Injury or Violence done to the Royal Person of the King; that there be no Change of Government, other than hath been those three years past, and that his Posterity be no ways prejudic'd in their lawful Succession. To this the Kingdom of* Scotland *added some other Desires, as to which we have the Parliament of* England's *Answer, with the Account of the delivering of the King, and the marching of the* Scots *Army out of the Kingdom.*

Chap. XII. *The* Twelfth Chapter *gives us the State of Affairs in* Ireland, *during the Year* 1646, *in which we have an Account of the Defeat given by the* Irish *Rebels, to a Party of the* Scots *Army in the* North *of* Ireland, *commanded by Major General* Munroe, *whose Letter with the Account of the Action is laid before us, as also an Account of a Victory obtain'd by a Party of the* Scots *over the* Irish *in* Connaught, *The next thing is the Marquess of* Ormond's *Negotiation and Proclamation of Peace with the* Irish *Rebels, and the Articles agreed on with them after a long Treaty. This is so much the more observable, that such advantagious Conditions were so easily granted to the* Irish *Papists in that Kingdom, when his Majesty made so much Difficulty to agree to the Propositions of Peace, presented to him from the Parliament of* England *and* Scotland; *and that the* Irish *Popish Bishops and their Clergy congratulated the Marquess of* Ormond, *upon the Conclusion of that Peace, while at the same time, they endeavoured to incense him against the Protestant Party, as deserving no Share of his Favour. The next thing is the Lord* Digby's *Letter, inviting the Lord* Inchequeen *to come over to the King's Interest, with his Answer; wherein the Earl complains of the Peace made with the* Irish *Rebels, as destructive to the Protestant Religion and the King's Interest. The Popish Layety were pleased with this Peace, but most of the Clergy disliked it, excommunicated those who were for't, and the Pope's Nuncio at the head of them, declared War against the Marquess of* Ormond *about it. The Marquess came afterwards to a Treaty with the Parliament of* England, *which after a great deal of time spent about it had no Success. Our Author gives the whole Proceedings of the Treaty at large.*

Chap. XIII. *The* Thirteenth Chapter *contains the Proceedings of Parliament from* April 1. *to* May 1. 1647. *They took Order for the Civil and Military Government of* Ireland, *and to raise Money for their Relief; Col.* Hammond *and* Pride *are question'd for seditious Petitions in the Army against Disbanding, and order General* Fairfax *to discharge and hinder*

hinder those Petitions. About this time the Earl of* Antrim *and some of the* Irish *Rebels, the Earl of* Huntley *and others of them were defeated in* Scotland. *Then an account is given of several Petitions from the Country for disbanding the Army, and the Orders of the House upon them, and accordingly they Vote what Forces should be continued, and what not; they order Col.* Boswell *to be taken into Custody, for delivering a Packet of Letters from* France *to the King at* Holmby. *Commissioners are sent to the Army, to propose that a part of them should go for* Ireland, *but most of 'em refused, and others insisted on high Conditions: The House resolve on disbanding the Army, which they petition against, appoint some of their own Number to give an account of their Affairs to the Parliament, and grow more and more insolent and mutinous. Commissioners were afterwards sent down to pacify the Army, and to acquaint them that they should have Money paid, their Accompts adjusted, and an Indemnity granted before they were disbanded.*

* The Lord *Hollis* in his Memoirs gives a particular account of the General's and his Officers, their prevarication in this Matter.

The Lord *Hollis* gives a particular account of their Insolence and dissimulation on this occasion, and of the chief Promoters of it.

Chap. XIV.

The Fourteenth Chapter *gives us an Account of the Proceedings in Parliament from* May *to* June, 1647. *The Officers of the Army are ordered to return to their Commands on severe Penalties; some Suspicions were about this time spread abroad, as if the Army design'd to comply with the King: A Petition presented from some Citizens directed* To the Commons, as the Supream Authority of Parliament, *was disliked by the House: A Brief was appointed for the Relief of poor Protestants fled from* Ireland. *False Intelligence was spread abroad concerning the Army, by a Servant belonging to the Duke of* Buckingham. *The* Scots *Forces were ordered to leave* Ireland. *The House ordered an Additional Pay to the Soldiers, before disbanding of the* English *Army: The King sends a Message from* Holmby *to both Houses, signifying that he had waited long for the Propositions, and had prepared an Answer to them. Conferences were continued at* Saffron-Walden, *betwixt the Commissioners of Parliament and those of the Army, who chose common Troopers for Agitators to represent their Grievances to the General Officers, who were to contract them. The Lord* Inchequeen *was successful in* Ireland *against the Rebels; The King's Letter in Answer to the Propositions sent him, was read in the House. Upon Advice from the Commissioners of the Stubbornness of the Army, the House Voted that all the Forces that would not go for* Ireland *should be disbanded, except Garrisons. Another Petition from some Citizens, calling the House the* Supream Authority, *was ordered to be burnt. Upon the King's Desire to come nearer* London, *the House of Lords Voted his coming to* Oatlands. *The Houses pass'd an Ordinance for Indemnity to the Army. A Letter was intercepted from Mr.* Ashburnham *to the King, advising him to forbear coming to an absolute Agreement with the Parliament, and putting him in Hopes of an Army of Fifty thousand Foreigners: Farther Orders were made about disbanding of the Army, which did not please the Soldiers; several Debates follow betwixt the Parliament and the Army on that head.*

Lord *Hollis* on this occasion gives an account of the unfair dealings of *Cromwell* and other General Officers in this Matter.

Chap. XV.

The Fifteenth Chapter *contains the Proceedings in Parliament from* June *to* July, 1647. *where we have the Debates betwixt them and the Army continued; The Army's Refusal to disband, and the carrying away of the King from* Holmby *by a Party commanded by Cornet* Joyce, *formerly a Taylor. Our Author is very particular in all those Debates and Transactions; and of what pass'd betwixt the Commissioners of Parliament that attended the King, and the Party that took him from* Holmby-House, *and the Army's Reasons for doing so: The*

General's Account of it to the Parliament. "*But the Lord* Hollis "*in his Memoirs, and Col.* Bamfeild *in his Apology, charge* Oliver "*directly with contriving it; the latter gives great Light into that mat-* "*ter, and a very distinct Account of what he himself did to prevent it,* "*by acquainting the King with it, and endeavouring to effect his Escape,* "*but found it unpracticable: He discovers likewise the fraudulent Pro-* "*mises of* Oliver *and his Party to the King; their Proposals for re-* "*storing him to his Throne on easier Terms than those demanded by the* "*Parliament, with which his Majesty and his Friends being deceived,* "*they concur'd with* Oliver *and the Army to prevent and frustrate all the* "*Endeavours of Parliament and City, to compel the Army to disband,* "*and to restore his Majesty to the Exercise of his Government on solid* "*Foundations.*

But to return to our Author, who in the next place gives us a Representation of the Dissatisfactions of the Army, in Relation to the Parliament's Order for disbanding them. The Solemn Engagement of the Army the Day before Joyce *seiz'd the King, and a frantick Narrative, call'd* A True Impartial Narration *concerning the Army's Preservation of the King, the Author whereof seems to be the first who published in Print that malicious Lye against the* Scots, *as if they had sold the King. Then we have an Account of Petitions from several Counties against disbanding the Army, which the Lord* Hollis *imputes also to* Oliver's *Contrivance. The rest is taken up in farther Debates betwixt the Houses and the Army about disbanding, and the Force put upon them by the Army, in making them recal their Orders and Declarations,* &c. *concerning the Forces, the Militia of* London, *and raising Troops for the Defence of themselves and the City; their disobeying the Orders of Parliament and Desires of the City, that they should come no nearer* London *than Twenty Miles; after this they proceed to higher Degrees of Insolence, in demanding the Parliament to be purg'd and new-modell'd, and contrary to their former Declarations, as the Lord* Hollis *observes, they bring in a Charge against the Eleven Members, and demand they should be discharged from sitting in the House; then the Debates betwixt the House and them on that head, and about the King's coming no nearer* London *than the Army, concluding with a Treaty betwixt the Parliament and the Army.*

Chap. XVI. *The* Sixteenth Chapter *contains the Proceedings in Parliament from* July 5. *to* August 1. 1647. *It begins with the Treaty betwixt the Parliament and the Army, and the continued Disobedience of the latter. The King desires to see his Children, which was granted; with all the Circumstances relating thereunto. Petitions of contrary Tendencies were at this Time promoted, and presented to the House from different Parties and Interests of* London *Apprentices. The Business of the Eleven Members was again debated, and at last they desire Leave to withdraw, which was granted them. Petitions and Engagements were form'd in the City against the Army, who forc'd the House and City to declare against such Practices, tho' they had Voted the King should come to the City, and ordered Forces to be raised, and the Train'd Bands to be arm'd,* &c. *About the same time there was a Treaty on Foot betwixt the Commissioners of* Scotland *and the Parliament, for setling what still remain'd to be done, but it came to no effect. This Volume concludes with an Account of the General's Advance with his Army towards* London, *contrary to their former Declarations; what followed thereupon is related at large in the last Volume of this Work.*

The SECOND VOLUME *begins with the Year* 1647, *and comes down to the Death of King* Charles I. *in* An. 1648. *The* First Chapter *of this Volume is the Seventeenth in Number, and gives Account of Transactions betwixt the Parliament and Army, with the Papers relating thereunto at large, which gives us a clear View of the Pretensions on both Sides, and a plain Demonstration, that no Authority is able to withstand the Design of a standing Army, under the Conduct of a Crafty General. We have an Account here of the Army's March to* London, *and their obliging both Parliament and City to recal their former Declarations against it: The King thought fit to disown his having any hand in what had been done in the City against the Army, and that part of the Parliament that adhered to them, which joyn'd to Col.* Bamfeild's *Account of this Transaction, shews how his Majesty was trick'd into this by the Army, to the irrecoverable Loss of his Interest, and Life at last. The Army having thus trod under foot the Laws of* England, *did the like as to the Laws of Nations, and by Violence forc'd the* Scots *Commissioners to go from his Majesty's Quarters, without suffering them to speak to the King, which the Earl of* Lauderdale *one of their Number protested against, but to no purpose, tho' the Commissioners that attended the King from the Parliament of* England, *told the Soldiers what might be the dangerous Consequence of such a Practice. The Army march'd up to* London, *and brought those Members of both Houses along with them, that had retired to them upon their Approach. Our Author gives us the Engagement sign'd by those Lords and Commons, the Declaration of the Army, the General's Letter to the City,* &c. *and an Account how the Parliament and Army flattered one another at this Juncture, how the General was brought to both Houses in great State, and the Votes that ensu'd upon't, declaring all to be void that the Parliament had done during the Absence of those Members.* Massey *and* Poyntz *that were to have commanded the City Forces,* &c. *against the Army, were forc'd to retire, and left a Declaration behind them, which our Author exhibits. In the next place he gives us an Account of the Proceedings in* Scotland, *and Duke* Hamilton's *Engagement to relieve the King, to vindicate the Members of Parliament unjustly impeach'd, and to settle the Presbyterian Government according to the Covenant. About this Time Col.* Jones *obtain'd a Victory over the Rebels in* Ireland: *Sir* John Cheesely, *Secretary to the* Scots *Commissioners, was stop'd at* Newcastle, *of which, Complaint being made to the Parliament, they ordered him to be released. The Army remonstrates for purging the House, and Enquiry is made after those that were to command the Forces design'd to oppose them, and several Members of both Houses question'd for countenancing that Affair.* Chap. XVII.

The Eighteenth Chapter *contains Proceedings in Parliament, from* Sept. 6. *to* Octob. 2. 1647. *The most remarkable of which, was the Concurrence of the* Scots *Commissioners to the Propositions of Peace sent to the King; The Desire of the Parliament of* England *that the* Scotch *Forces in* Ireland *should be recall'd from thence; The Proceedings against several Lords, Sir* John Maynard *and others on an Accusation that they had design'd to have raised a new War; The regulating of the City Militia; The King's Answer to the Propositions; Petitions for farther purging the House; Debates upon Information from* Ireland, *that the Lord* Inchequeen *and the* Scots *design'd to joyn against the Army in* England; *The Army makes a new Declaration to the House concerning their Pay, and Matters of Government;* Chap.XVIII.

vernment; The Houses Voted the King's Answer a flat Denial; They imprison the Lord Mayor, and many other Persons on account of the Force put upon the House by Tumults, and ordered some of them to be Prosecuted for High-Treason. The Army move to have their Arrears levy'd on the City by way of Distress.

Chap. XIX. *The* Nineteenth Chapter *contains the Proceedings in Parliament to the end of* October, 1647. *They were now about the establishing the Army in* England *and* Ireland, *and setling the Government of the Church by Presbytery; The Army would not suffer the Duke of* Richmond, *and others whom the King sent for as Privy Councellors to advise with, to stay about him; They press for their Pay and Arrears. The Agitators of* Cromwell's *and other Regiments in the Army, presented a Paper to the General about this time, wherein they speak very high, and declar'd they would part with their Lives sooner than their Liberties. Col.* Jones *is successful in* Ireland; *Commissioners from* Scotland *attend his Majesty at* Hampton-Court; *The States of* Scotland *resolve to keep up their Army, because of the Dangers that threaten Religion, the King's Person, and the Union and Peace of the Nations; The Houses Debate the Propositions to be sent to the King.*

Chap. XX. *The* Twentieth Chapter *contains the Proceedings of Parliament, and other remarkable Occurrences in* November 1647, *namely, Debates about providing the Army in* Ireland; *farther Papers from the Dissenting Agitators of the Army in* England; *Their Agreement together at last, and bold Declaration to the Parliament, concerning the time they should sit, and the manner of Elections,* &c. *The Alteration they demanded to be made in the Propositions to be sent to the King: The* Scots *Commissioners in Name of the Kingdom of* Scotland, *demand that a personal Treaty be had with the King, and that he may not be carry'd about by the Army, but have Leave to come to* London *with Honour and Safety. Col.* Jones's *farther Success in* Ireland; *The Agitators present a Petition to the Commons, whom they call* The Supreme Authority of the Nation; *this the Commons Vote to be Subversive of the Government; The King makes his Escape from* Hampton-Court, *and leaves a Letter behind him for the Parliament.*

[Col. *Bamfeild* in his Apology charges this upon *Oliver* and his Party as their Contrivance, which his Majesty's Letter makes very probable, considering that he insists too much upon Satisfaction to the Army.]

The House Votes it Death and Confiscation for any Man to detain his Majesty, and not deliver him to the Parliament; Col. Hammond *sends a Letter to the Lords, acquainting them that his Majesty was come to the* Isle *of* Wight, *and put himself under his Protection. The Parliament takes care that his Majesty should be provided for, and dissolves his Houshold; The Army continues mutinous; His Majesty sends a Letter to both Houses, desiring a personal Treaty; then follows the Account of Col.* Hammond's *Letters to the Parliament about the King; the rest is taken up about the Propositions to be sent to his Majesty; the Demands of the Army; the Lord* Inchequeen's *Victory in* Ireland, *and intercepting of Letters from the Lord* Digby *to the Lord* Taaf, *which discover some Intrigues at Court.*

Chap. XXI. *The* Twenty first Chapter *contains the Proceedings in Parliament from* December 6. *to* January 1. *and other Occurrences during that time; the chief of which, is a mutinous Representation from the Army*

to

to the Parliament, Reflecting upon their Proceedings; a Letter from the King to the Parliament, urging a personal Treaty; The Discovery of a new Plot against the Parliament; The Declaration of the Scots *Commissioners against sending the four Bills to the King; The Answer of both Houses to the said Declaration, and their ordering that the Printer of it be committed; Mr.* Saltmarsh *his Prophecy against the Army, and his Death soon after; the Dissent of the* Scots *Commissioners against the four Bills presented to the King, and a meeting in the* Isle *of* Wight *for his Rescue.*

The Twenty second Chapter *gives an Account of Proceedings in Parliament,* &c. *during the Month of* January, 1647. *The Parliament being new purged according to the Desire of the Army, they quickly come to an Agreement, and Votes pass that no more Addresses should be made to the King, nor no more Messages received from him; and in the mean time his Majesty is strictly guarded in* Carisbrook-Castle. *They order such Papers as had been taken during the War, and tending to justifie the Proceedings of the Parliament should be printed, particularly a Warrant in his Majesty's own Hand, for diverting the Ships design'd for the Relief of* Rochel; *The Army publishes a Declaration, to adhere to the Parliament in their Proceedings concerning the King, and for setling the Kingdom, without and against him, which was approved by Parliament; Ten of the Eleven Members, and Seven Lords are ordered to be proceeded against by Impeachment of High-Treason.* Chap. XXII.

The Twenty third Chapter *contains the Proceedings during the Month of* February, 1647. *The Counties ordered to be divided into Classical Presbyteries; General* Fairfax *ordered thirty Persons to attend his Majesty as Servants, and no more to be allow'd; an Ordinance against Stage-Plays past; The Number of the Army setled, with the Alterations made in the Settlement; The Parliament's Declaration, why no farther Addresses are to be made to his Majesty.* Chap. XXIII.

The Twenty fourth Chapter *contains the Proceedings during the latter end of* February *and* March, 1647. *The most remarkable whereof is, the Declaration in Answer to the Papers of the* Scots *Commissioners, upon the Question,* Whether the Kingdom of *Scotland* have an Interest in the Matter of our Propositions or Bills, containing our Desires for a Foundation of Peace, &c. *The Lord* Inchequeen's *further Success in* Ireland. *The Proceedings of the Parliament of* Scotland *with Relation to the Affairs of* England; *The Lord* Inchequeen's *Officers and Soldiers much discontented and straiten'd in* Ireland; *Tumults in* Pembrokeshire *for the King.* Chap. XXIV.

The Twenty fifth Chapter *contains Proceedings in Parliament during the Month of* April, 1648. *Proceedings of the General Assembly in* Scotland, *against a War with* England. *Col.* Poyer's *Proceedings against the Parliament in* Pembrokeshire; *A dangerous Tumult in* London, *suppress'd by the Soldiers in the* Meuse; *The Lord* Inchequeen *revolts from the Parliament, and is declared Rebel; The Report of the said Revolt, and the Causes thereof; The Answer of the Committee of Danger in* Scotland, *to the Commissioners of the Parliament of* England; *The Duke of* York *makes his Escape beyond Sea; Farther Opposition of the Ministers of* Scotland *to the War with* England, *and the Answer of the contrary Party to their Objections. A Design of the Army discover'd to disarm and plunder* London, *fearing the City would joyn with the* Scots; *The Petition of the City, and Proceedings of the House upon't; The House Votes, that the Government should still be by King, Lords and Commons.* Chap. XXV.

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Chap. XXVI. *The* Twenty sixth Chapter *contains the Proceedings in* May 1648. *wherein we find the Parliament Forces defeated in* Wales; *The King's Party carry all in the Parliament of* Scotland; Berwick *surprised by the* English *Cavaliers*; *The Demands of the Parliament of* Scotland *from the Parliament of* England *in Behalf of the King, and against the Army*; *Petition from the Grand Jury of* Essex *for a Treaty with the King*; *Tumults in* Colchester; *The Parliament's Declaring they will adhere to the Covenant, and joyn with the* Scots *in the Propositions sent to the King at* Hampton-Court; *Risings in South* Wales *for the King*; Carlisle *taken by the King's Party*; Langdale's *raising of Forces for the King*; *Col.* Horton's *defeating the King Party in* Wales; *The Commissioners of the Church of* Scotland's *Declaration against a War with* England; *Tumults for the King in several Parts of* England; *The Design of the Cavaliers against the City discovered*; *Proceedings of the City and Parliament thereupon*; *Debates in Parliament about Treating with the King*; Chepstow-Castle *retaken from the Cavaliers*; *The Revolt of the Ships against Col.* Rainsborow, *and the Earl of* Warwick *desired to command them*; *Risings in* Kent *and* Cornwall *for the King suppress'd*; *Opposition made to the raising of Forces in* Scotland.

Chap. XXVII. *The* Twenty seventh Chapter *gives us the Proceedings of* June, *viz. A large Account of the Risings in* Kent, *and the Defeat given the Cavaliers there*; *Three Bills to be presented to his Majesty, Ordered to be sent to the Parliament of* Scotland *for their Concurrence*; *The Eleven impeach'd Commoners, the impeach'd Aldermen and Lords Discharged by the Parliament. The Lord* Goring *after his being defeated in* Kent, *passes the River at* Greenwich, *and marches with the Remainder of his Forces into* Essex, *he is declared Rebel, and Indemnity offered those that joyn'd him, upon laying down their Arms*; Pontefract-Castle *surprised by the* Cavaliers; *Town and Castle of* Denby *taken by the Parliament Forces*; Dover-Castle *relieved*; *The Sufferings of* Jersey *by the Cavaliers*; *The Cavaliers routed in* North-Wales; *Proceedings against the Lord* Goring, *and the Remainders of the Cavaliers in* Essex; *Eighty Gentlemen surprised that design'd to be a Guard to the Prince of* Wales; *The Committee of* Essex *surprised and seiz'd by the Lord* Goring, *and carry'd to* Colchester; *The Particulars of the Siege and Surrender of* Colchester, *are related in this and the following Chapters.* Langdale's *Forces defeated in the* North; *Great Distractions in* Scotland. *The Parliament of* England *Vote all such as take Arms against them Traitors by the* 11. *of* Rich. II. *and* 1. *of* Hen. IV. *The City of* London *petition for a personal Treaty with the King.*

Chap. XXVIII. *In the* Twenty eighth Chapter *we have the Occurrences of* July, 1648. viz. *Debates in Parliament about a personal Treaty with the King*; *Cavaliers in the North defeated and Prisoners taken, being Commanded by Sir* Richard Tempest; *Duke of* Buckingham, *Earls of* Holland *and* Peterborrow, *&c. with* 500 *Horse, make an Insurrection near* Kingston *upon* Thames, *to bring the King to the Parliament, in order to the setling of Peace*; *The* Pontefract *Cavaliers, and those under the said Lords are routed*; *Conference betwixt the Houses and City about treating with the King*; *Total Defeat of the Royalists under the Earl of* Holland, *&c. Duke* Hamilton *advances into* England *with the* Scots *Army*; *The Prince of* Wales *sails from* Callis *to* Holland, Pembroke *Town and Castle surrender'd to* Cromwell; *The Commons adhere to their Votes, that the King sign the Propositions before the personal Treaty*; *New Petitions from the City,* &c. *for a personal Treaty*;

Those that invited or assist Duke Hamilton *declared Traitors; The Retreat of the Parliament Forces before Duke* Hamilton; *The Lords and Commons differ about Treating with the King; The Prince of* Wales *with some Ships appear on the Coast near* Yarmouth; *both Houses agree to treat with the King at* Carisbrook-*Castle*; *The Prince of* Wales's *Declaration.*

The Twenty ninth Chapter *contains the Occurrences in* August. *The Prince of* Wales *takes some Merchant Ships in the* Downes; *Offers to release them for* 20000 l. *All that joyn'd or adhere to the Prince, declared Rebels; A Petition from the Common Council of the City, desiring the King may be freed from his Restraint, that Hostilities may cease, Church Government be setled, and* Ireland *relieved; The King's Answer to the Votes of the House for a personal Treaty at* Newport; *The Prince's Letter to the Town of* Yarmouth; *The King's Letter to the House concerning the Treaty; Men landed by the Prince defeated; Proceedings in Parliament concerning the Treaty with the King; Prince* Charles *invited into* Scotland *by the Committee of Estates; Commons refuse to joyn with the Lords, in inviting the* Scots *to treat with the King, but promise safe Conduct to such as the King invites; The Defeat of Duke* Hamilton *and his Army by* Cromwell, *with his Letter concerning it; The Duke and others of Note taken afterward. After this Defeat, the remaining Part of the Money due to the* Scots *Army according to Agreement at* Newcastle, *is paid to the* English *Navy, &c. tho' it was ordered to be paid to the* Scots *before;* Colchester *surrender'd; and Proceedings thereupon; The King accepts the Treaty.* Chap. XXIX.

The Thirtieth Chapter *gives the Occurrences of* October, 1648. *The Earl of* Warwick *pursues the Prince, and the revolted Ships that retired into* Holland: *Petition to the Commons from many People in* London *against a Treaty, containing insolent Demands in point of Government.* Munroe *and the* Scots *Cavaliers obliged to retreat home. The Marquess of* Argyle *in Arms against the Cavaliers in* Scotland; *The Earl of* Leven *makes the Committee of Estates to fly from* Edenborough. *The Treaty begun with the King, and Proceedings in't.* Munroe *attacks* Argyle *contrary to Articles;* Cromwell *enters* Scotland; *his Declaration why;* Monk's *Success against the* Scots *in* Ireland; *A Plot to Murder Eighty Members that opposed the Treaty, and to Stab the General.* Chap. XXX.

The Thirty first Chapter *gives the Occurrences of* October; *where we have a Letter from the King to both Houses, that he will confirm Presbytery,* &c. *for three Years; The Commons dislike the Message;* Berwick *surrender'd; Proceedings with the King about Religion;* Cromwell's *Proceedings in* Scotland; *Petitions to the General from several Regiments about Government, with insolent Demands; The King's Answer to the Parliament's Propositions; Farther Account of* Scots *Affairs; The King's Message about Episcopacy, Voted unsatisfactory; Letter from the Committee of Estates in* Scotland *to the Parliament of* England, *desiring a fair Correspondence; More Petitions from the Army against the King and his Party.* Ormond *is for concluding a Peace with the Rebels in* Ireland. Chap. XXXI.

The Thirty second Chapter *gives us the Proceedings of* November, 1648. *The King's Message about* Ireland, *Voted unsatisfactory; His farther Condescension about Prelacy and the Common-prayer,* &c. *Voted unsatisfactory; His coming to* London *with Freedom Voted; The Army's Remonstrance to the Parliament against the King; Debates with the* Chap. XXXII.

the King about the Church; some of the revolted Ships return to the Admiral. The Army secures the King in the Isle *of* Wight; *The Parliament dissatisfied therewith; The Army's Declaration and March towards* London; *Col.* Cook's *Narrative of the King's being carried to* Hurst-*Castle, and Deliberations thereupon.*

Chap. XXXIII. *The* Thirty third Chapter *gives the Occurrences of* December; *The Parliament Vote the carrying of the King to* Hurst-*Castle was without their Advice or Consent; the Army makes new Remonstrances to the Parliament, and seize on many Members; Proposes new Models of Government; Forces the Houses to recall all they had done about a Treaty with the King, and particularly, that his Majesty's Concessions were sufficient Grounds for setling the Peace of the Kingdom; The Fleet concurs with the Army's Remonstrance; Petitions from several Parts of the Country, that the King be brought to Justice; The King brought to* Windsor; *the Council of War forbids all Ceremonies to be used to the King.*

Chap. XXXIV. *The* Thirty fourth *and last* Chapter *gives the Proceedings of* January, 1648. *The Commons order an High-Court of Justice for trying the King; The Lords disagree to it, whereupon the Commons declare themselves the* Supream Power; Scots *Committee of Estates desire the King may not be try'd without Advice of their Nation; The* Scotch *Parliament dissents from the Parliament of* England, *as to the Tryal of the King; The Commissioners appointed for trying the King; The Particulars of the Tryal; The* Scots *enter their Dissent about it; The particular Evidences against the King; His Majesty's Defences; The Sentence against him; His last Speech, Execution and Funeral; The Order of the Commons against proclaiming any of King* Charles's *Issue.*

20 *Caroli.*

A CONTINUATION OF Hiſtorical Collections.

PART IV. VOL. I. Beginning in 1645.

Chap. I.

Containing the Propoſals, Debates, and perfecting of the New Model of the Parliament's Army under Sir Thomas Fairfax, *Commander in Chief: And the State of the* King's *Affairs and Strength, as alſo the Parliament's, at that time.*

THE firſt Remarkable Affair which preſents it ſelf to Conſideration in the Year 1645, is the Matter of the *Self-denying Ordinance* (as it was called) and New-Model of the Parliament's Army; which they deſigned and ſtruggled for, during ſome Months before; but was not compleatly agreed upon and conſented unto by both Houſes, till about the beginning of this Year. And to give the Reader a perfect deduction of this Buſineſs, we muſt look back to the 9*th.* of *Decemb.* 1644. (when it was firſt ſtarted in the Houſe) and thenceforth ſum up the particular proceedings therein. The Author begins this Year 1645, with an Account of the Self-denying Ordinance and new Model of the Army.

The Province I have undertaken is to conſign to Poſterity *Overt-Acts,* (*Facta, Scripta, Dicta, prout facta, ſcripta vel dicta ſunt*) without either judging of their Qualities, or diving after the ſecret Reaſons of them, in aſſigning which, Authors many times relate their own *Conceits,* rather than the *true Motives* which induced the Actors to ſuch Reſolutions. Yet it appears in our Collections before going, that the two Houſes had taken notice of the bad ſucceſs of their Armies on ſeveral occaſions, and at divers places; more eſpecially of late at *Dennington* Caſtle, which was generally attributed to the ill Conduct of certain eminent Commanders, (the General *Eſſex* not being then preſent) of whom ſome were thought too fond of a Peace, and others over-deſirous to ſpin out the War, and others engaged in ſuch particular Feuds, that there was little vigorous Action to be expected from ſuch diſagreeing Inſtruments. And yet to ſearch too deep into paſt Miſcarriages, or determine in favour of either of thoſe that mutually Recriminated each other, Jealouſies and Differences amongſt the Parliament's Commanders.

An. 1645.

might (under their then present Circumstances) prove the next danger to suffering a Continuance of the same Inconveniencies. Besides, there were of the Army-Officers (especially since the coming in of the *Scots*) two apparent Parties, the first zealous for setting up *Presbytery*, the other (called *Independents*) endeavoured to decline that Establishment; and of this latter Party Lieutenant General *Cromwell* was esteemed one of the Chief; and as on that score he was little beloved by the *Scots*, so by reason of his Popularity, General *Essex* began to entertain some Jealousies of him, and therefore with the *Scotch* Commissioners had a Consultation (about the end of *November* or beginning of *December* 1644.) touching the means how to remove him. Which by Mr. *Whitlock* (a Person present and concern'd) is related to this effect.

A consult about accusing *Cormwell* for an *Incendiary*. *Whitlock's* Memorials, fol. 111.

One Evening very late *Maynard* and *Whitlock* were sent for by the Lord General to *Essex*-House, where they found with him the *Scotch* Commissioners, and Mr. *Hollis*, Sir *Philip Stapleton*, Sir *John Meyrick*, and divers others of his special Friends. After Civilities pass'd, the Lord *Loudon* Chancellor of *Scotland* spake to them, as followeth.

Mr. *Maynard*, and Mr. *Whitlock*.

The Chancellor of *Scotland's* Discourse concerning the same.

I Can assure you of the great opinion both my Brethren and my self have of your Worth and Abilities, else we should not have desired this meeting with you; and since it is his Excellency's Pleasure, that I should acquaint you with the matter upon whilke your Counsel is desired, I shall obey his Commands, and briefly recite the Business to you.

You ken vary weele that General Lieutenant *Cromwell* is no Friend of ours, and since the Advance of our Army into *England*, he hath used all underhand and cunning means to take off from our Honour and Merit towards this Kingdom; an evil Requital of all our Hazards and Services: But so it is, and we are nevertheless fully satisfied of the Affections and Gratitude of the gude People of this Nation in the General.

It is thought requisite for us, and for the carrying on of the Cause of the Twa Kingdoms, that this Obstacle or *Remora* may be removed out of the way, whom we foresee will otherwise be no small Impediment to us, and the gude Design we have undertaken. For he not only is no Friend to us, and to the Government of our Church, but he is also no well-willer to his Excellency, whom you and we all have cause to love and honour; and if he be permitted to go on in his ways, it may, I fear, endanger the whole Business; Therefore we are to advise of some Course to be taken for prevention of that mischief.

You ken vary weele the Accord 'twixt the Twa Kingdoms, and the Union by the solemn League and Covenant, and if any be an *Incendiary* between the Twa Nations, how he is to be proceeded against: Now the matter is, (wherein we desire your Opinions,) what you take the meaning of this word *Incendiary* to be? And whether Lieutenant General *Cromwell* be not like an *Incendiary* as is meant thereby? And whilk way wud be best to tak to proceed against him, if he be proved to be sike an *Incendiary*, and that will clepe his Wings from soaring to the prejudice of our Cause. Now you may ken, that by our Law in *Scotland* we clepe him an *Incendiary*, whay kindleth Coals of Contention, and raiseth Differences in the State to the publick Damage, and he is *tanquam publicus Hostis Patriæ*: Whether your Law be the same or not, you ken best who are Mickle Learned therein, and therefore with the favour of his Excellence, we desire your Judgments in these Points.

To which *Whitlock* and *Maynard* severally answer'd, both to the same Effect, *viz.*

"That the Word *Incendiary* is not much conversant in our Law, nor "often met with in our Books, but more a term of the Civil Law, or of "State, and so is to be considered in this Case: For the sense of the "word it was the same with us as his Lordship had expressed to be by "the Law of *Scotland*, and which *ex vi Termini* it beareth, *viz.* one that "raiseth the Fire of Contention in a State, or that kindles the Coals of "Contention, and so it is taken in the Accord between the Two King-"doms. Whether Lieut. General *Cromwell* be such an *Incendiary* between "these Two Kingdoms cannot be known but by proofs of his particu-"lar words or actions, tending to the kindling this Fire of Contention be-"twixt the Two Nations, and raising of Differences between us. If it "can be made out by proofs, that he hath done this, then he is an *Incen-"diary*, and to be proceeded against for it by the Parliament, upon his "being there accused for those things: That it was not fit Persons of "so great Honour and Authority as the Lord General and Commission-"ers of *Scotland*, should appear in any Business, especially of an Accusa-"tion, but such as they should see before-hand will be clearly made out, "and brought to the effect intended, since if they should be foil'd in a "business of this weight, it would reflect upon their Honour and Wis-"dom: That the Person against whom this Accusation is, was to be con-"sidered in his present Condition and Parts, and Interest, touching "which as to the Parliament, they were the more able to give their "Lordships an Account by their constant Attendance in the House of "Commons; and as for his Interest in the Army, his Excellency, and "other Gentlemen present, could best judge: That for their own parts "they take Lieutenant General *Cromwell* to be a Gentleman of quick and "subtle parts, and one who hath (especially of late) gained no small In-"terest in the House of Commons; nor is he wanting of Friends in the "House of Peers, nor of Abilities in himself to manage his own part or "defence to the best Advantage, therefore it would be requisite to be "well prepared against him before he be brought upon the Stage. That in "their private Observations they do not know of any Particulars, as will "amount to so clear a proof as will satisfy the House of Commons in "the Case of Lieutenant General *Cromwell* (according to our Law, and "in the course of proceedings in Parliament) that he is an *Incendiary*, and "to be punished accordingly. And therefore they advised to defer the "Accusation, and in the mean time collect what proof might be had of "Particulars, and when the same were prepared they should be the bet-"ter able to advise, and their Lordships to judge, what will be fit to be "done in this matter.

20 *Caroli.*

Whitlock and *Maynard's* Answer and Advice thereupon.

Which Advice, after some Debate, was followed, and the business laid by. But Mr. *Whitlock* adds, That *there was cause to believe, that some present at this Debate were false Brethren, and informed* Cromwell *of all that passed, which might make him carry on his designs more actively for his own Advancement.* And indeed it may well be presumed he was not like to be behind-hand in Artifices for removing of those that would have removed him.

But from whatever Grounds or Motives it sprang, so it was, that on the 9th of *December* 1644, (the Parliament's Forces being then settled in their Winter Quarters, and most of the Commanders in Chief, who were Members of either House of Parliament, being in Town) the House of Commons took into consideration the sad Condition of the Kingdom in reference to its Grievances by the Burthen of the War in case the Treaty for a Peace, which was then propounded (and of the successless Issue of which we have before in the former Volume given an account) should not take effect, nor the War be effectually prosecuted. After a long Debate of this matter, the House Voted themselves into a Grand Committee, where there was a general silence for a good space of time, many looking one

The House in a Grand Committee to consider of the sad Condition of the Kingdom by Continuance of the War, *Decemb. 9th.*

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upon another, to ſee who would break the Ice, and ſpeak firſt in ſo tender and ſharp a Point: Amongſt whom *Oliver Cromwell* ſtood up, and ſpake ſhortly to this effect.

Cromwell's Speech, *Dec.* 9*th*.

THAT it was now a time to ſpeak, or for ever to hold the tongue: The important occaſion being no leſs than to ſave a Nation out of a bleeding, nay, almoſt dying condition, which the long continuance of the War had already brought it into; ſo that without a more ſpeedy vigorous and effectual proſecution of the War, caſting off all lingering proceedings like Soldiers of Fortune beyond Sea, to ſpin out a War, we ſhall make the Kingdom weary of us, and hate the Name of a Parliament. For what do the Enemy ſay? Nay, what do many ſay that were Friends at the beginning of the Parliament? Even this, that the Members of both Houſes have got great Places and Commands, and the Sword into their hands, and what by Intereſt in Parliament, and what by power in the Army, will perpetually continue themſelves in Grandeur, and not permit the War ſpeedily to end, leſt their own power ſhould determine with it. This I ſpeak here to our own Faces, is but what others do utter abroad behind our Backs. I am far from reflecting on any, I know the worth of thoſe Commanders, Members of both Houſes, who are yet in power; but if I may ſpeak my Conſcience without reflection upon any, I do conceive if the Army be not put into another Method, and the War more vigorouſly proſecuted, the People can bear the War no longer, and will enforce you to a diſhonourable Peace. But this I would recommend to your Prudence not to inſiſt upon any Complaint or Over-ſight of any Commander in Chief upon any occaſion whatſoever; for as I muſt acknowledge my ſelf guilty of Over-ſights, ſo I know they can rarely be avoided in Military Affairs; therefore waving a ſtrict inquiry into the Cauſes of theſe things, let us apply our ſelves to the Remedy which is moſt neceſſary: And I hope, we have ſuch true *Engliſh* Hearts, and zealous Affections towards the General Weal of our Mother-Country, as no Members of either Houſe will ſcruple to deny themſelves and their own private Intereſts for the Publick Good, nor account it to be a diſhonour done to them whatever the Parliament ſhall reſolve upon in this weighty matter.

Another ſpake to this purpoſe.

The Subſtance of another Speech at the ſame time.

WHatever is the matter (which I liſt not ſo much to inquire after) two Summers are paſt over, and we are not ſaved: Our Victories (the price of Blood invaluable) ſo gallantly gotten, and (which is more pity) ſo Graciouſly beſtowed, ſeem to have been put into a Bag with holes; what we won one time, we loſt another: The Treaſure is Exhauſted, the Country's Waſted: A Summer's Victory has proved but a Winter's Story; the Game however ſhut up with Autumn, was to be new play'd again the next Spring; as if the Blood that has been ſhed, were only to manure the Field of War for a more plentiful Crop of Contention. Mens hearts have failed them with the Obſervation of theſe things; The Cauſe whereof the Parliament has been tender of Ravelling into. But Men cannot be hinder'd from venting their Opinions privately, and their Fears, which are various, and no leſs variouſly expreſs'd; concerning which I determine nothing, but this I would ſay, 'tis apparent that the Forces being under ſeveral great Commanders, want of good Correſpondency amongſt the Chieftains, has oftentimes hindered the Publick Service.

Vote that no Member ſhall enjoy any Office Military or Civil, *Dec.* 9*th*.

But the firſt that moved expreſly to have all Members of Parliament Excluded from Commands and Offices was Mr. *Zouch Tate*; wherein he was ſeconded by Sir *Henry Vane* Jun. and others. The Debate laſted long, but in concluſion the Grand Committee came to this Reſolution, "That no Member of either Houſe of Parlia-
"ment ſhall during the War Enjoy or Execute any Office or Com-
" mand

" mand Military or Civil, and that an Ordinance be brought in to " that purpose.

Decemb. the 11*th*, The said Ordinance was reported to the House by the Committee appointed to draw up the same: And the same day a Fast for imploring a Blessing on the intended New Model of the Army, appointed by the Commons, (and next day agreed unto by the Lords,) to be held on the Eighteenth of that Month, by both Houses in *Lincoln*'s-*Inn* Chappel; no Strangers, nor so much as their own Attendants to be admitted. And in further relation to this Business of New Moulding the Armies, the House of Commons Ordered, That Letters be sent from that House to all the Associated Counties forthwith to make payment of their Forces, and to give an Account of what Monies have come into the hands of their respective Treasurers, and how disbursed.

A Fast, *Dec.* 18.

The 12*th* of *December* a Petition was presented to the Commons from many that stiled themselves Well-affected Citizens and Inhabitants within the Lines of Communication, *London*, taking notice of the great Care that House had of the Common-wealth, and of the City in particular, expressing their Resolution to assist them to the utmost of their Power in prosecution of the Vote of *Monday*, *December* the 9*th.*

The House of Commons on the 14*th* took again the aforesaid Ordinance into Consideration, and for the freer Debate turn'd themselves into a Grand Committee, wherein the same was canvassed very seriously on both sides: The several Speeches of those who were for promoting it, centering in the following Reasons.

Reasons given for this Vote and Self-denying Ordinance.

1. That upon passing this Ordinance the Proceedings of their Armies would be more quick both in Determination and Action, when Commanders upon any discontent arising, shall have the less power to Sway and Bandy one against another.

2. If there be at present Differences between Commanders that are Parliament men, and perhaps of several Houses, by this Ordinance equal Justice is done, they are both recalled from Command, and by consequence from further dispute of difference, thereby preventing Divisions in the Army, administring Advantages to the Enemy.

3. The Commanders will be the less able to make Parties to secure themselves when they have no Interest in the Houses, and so become more easily removable or punishable, for their Neglects and Offences committed in the Army.

4. His Majesty, by his late Message, having acknowledged this to be the Parliament of *England*, both Houses had need to be as full as they can; and by this Vote the Members taken off from other Imploys will be better able to attend the publick Affairs in Parliament, to which they are called by Writ; and so the frequent Objection of the Paucity of Members at the passing of Votes will be prevented.

5. That by the New Model designed, the former Weights that obstructed being taken off, the Progress of the Army upon new Wheels will be more swift, and a speedy Period put to the War, which is the general desire of the Nation.

6. Hereby the Objection, That the Members seek their own Profit, Honour and Power, will be prevented; when the World shall see them so ready to exclude themselves from all Commands and Offices.

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But these Arguments did not satisfy divers Members, amongst whom was Mr. *Whitlock*, who opposed the passing of the Ordinance in the Speech following.

Mr. *Whitlock's* Speech upon the Debate of the Self-denying Ordinance, 44.

Mr. *Speaker*,

I Am one of that Number of your Servants, who have no Office or Imployment but such as you are about to except out of this Ordinance, nor have Ambition for any; and therefore may the more freely and indifferently, yet with all Submission, humbly offer my Reasons against it, as that which I apprehend may prove prejudicial to your Service.

It hath been Objected, That your House, and the House of Lords is thin and empty, and you the less esteemed having so few Members here, many of them being imployed in Offices that they cannot attend the Houses; but that by this Ordinance they will be at leisure and liberty to attend the Service of the Parliament here, and the Houses be much fuller than now they are.

I confess, Sir, this is fit to be remedied; but I apprehend you have a fitter way, than by this Ordinance to do it; that is, by issuing out new Writs for Electing new Members in the Places of those who are dead, or expelled, and this will satisfy the Objection, and engage divers of Interest and Quality the more immediately in your Service; whereas this Ordinance will discontent many, and the Houses will be little the fuller by the passing of it.

Another Objection is, That if this Ordinance doth not pass, the Treaty of Peace will not so well proceed, but the particular Interests of Members of Parliament may retard the same, but will all be taken away by this Ordinance.

I am to seek how this can be materially objected, when I suppose, whether this Ordinance pass or not, yet you intend Members of Parliament to be your Commissioners for that Treaty, and in case some of them be Officers, they will the better understand your Businesses, on which the Treaty will be grounded.

Another Objection is, That unless this Ordinance pass, the great Work intended of New Modelling your Armies will not be so well carried on, for that by putting all out, there will remain no exception.

I should rather have argued, that by putting out all Members out of their Imployment, the exception and discontent would be the more general, and by leaving them still in their Imployments, there would be the less Competition and Sollicitation for new Officers in their Rooms.

Another Objection or Argument is, That the Members of Parliament, who are Officers, being of equal Power in Parliament, will not be so obedient to your Commands as others who have smaller Interests, and would not so much dispute one with another.

Surely, Sir, those whose Interest is the same with yours, have the more reason to obey your Commands than others, and have more to hazard by disobedience, than others can have, and in your Commands all your Members are involved, and it is strange if they should be backward to obey their own Orders.

Nor will the Contests be so frequent and high between them and other Officers, as it will be between those who will be of a more equal Condition.

But, Mr. *Speaker*, as you consider the Inconveniencies, if this Ordinance do not pass, so you will be pleased to consider the Inconveniencies if it do pass.

You will lay aside as brave Men, and who have served you with as much Courage, Wisdom, Faithfulness and Success as ever Men served their Country.

Our Noble Generals, the Earls of *Denbigh*, *Warwick*, *Manchester*, the Lords *Roberts*, *Willoughby*, and other Lords in your Armies, besides those in Civil Offices not excepted; and of your Members the Lord *Grey*, Lord *Fairfax*, Sir *William Waller*, Lieutenant General *Cromwell*, Mr. *Hollis*, Sir

Philip

Philip Stapleton, Sir *William Brereton*, Sir *John Meyrick*, and many others must be layed aside if you pass this Ordinance. 21 *Caroli.*

And I am to seek, and doubt so will they be, to whom you shall refer the new Modelling of your Armies, where to find Officers that shall excel, if equal these.

If your Judgments are that for the publick Service, it will be expedient to remove any of them from their Commands, let the same (if you please) be plainly made known to them from you.

Let them have what they deserve, your Thanks for their former good Services, and they will not be offended, that you having no more Work for them, do lay them aside with Honour.

But to do a Business of this nature (as hath been well said) by a side-wind, is in my humble opinion, not so becoming your Honour and Wisdom, as Plainness and Gravity, which are Ornaments to your Actions.

I shall conclude with the Example of the *Grecians* and *Romans*, amongst whom, Sir, you know that the greatest Offices of War and Peace were conferred upon their Senators, and there Reasons were, because they having greater Interests than others, were the more capable to do them the greatest Service. And having the same Interest with the Senate, and present at their Debates, they understood their Business the better, and were less apt to break that Trust, which so nearly concerned their private Interests which was involved with the Publick, and the better they understood their Business the better Service might be expected from them.

Sir, I humbly submit the Application to your Judgment. Your Ancestors did the same, they thought the Members of Parliament fittest to be imployed in the greatest Offices: I hope you will be of the same Judgment, and not at this time to pass this Ordinance, and thereby to discourage your faithful Servants.

But after several Debates the Ordinance pass'd the House of Commons *Decemb.* 19. and on the 21*st* the same was sent up to the Lords by Mr. *Pierpont*. But there it met with many delays, and much opposition, for their Lordships fell not into Debate of it till *Decemb.* 30. and then committed the Consideration thereof to eight Lords to report their Opinion thereof, and their Reasons for the same; which being reported to that House, they on the 7*th* of *January* had a Conference with the Commons, and delivered in Reasons in Writing against the passing that Ordinance, especially for that the Honour of Peerage was (as they conceived) so much concerned therein; upon which the Commons appointed a Committee to prepare Reasons to satisfy their Lordships concerning the same. And *Jan.* the 13*th* the whole House of Commons with their Speaker went up to the Lords about the same Business. But the Lords the same Day taking it into Debate, Rejected the Ordinance.

The Ordinance pass'd *Decemb.* 19. and sent up to the Lords.

A Conference about it *Jan.* 7. 1645.

The Lords reject it, *Jan.* 15.

In the mean time, the Commons went on in forming a New Model of the Army, which they agreed should consist in the whole of one and twenty thousand Men effective, *viz.* 6000 Horse, 1000 Dragoons, and 14000 Foot; That the 6000 Horse be divided into ten Regiments: The Dragoons into ten single Companies: Every Regiment of Foot to consist of at least 1200 Men, and the whole Charge of this Army to be 44955 *l. per* Month, to be raised by Assessment proportionably throughout the Kingdom. On the 21*st* of *January*, the Commons proceeded to Nominate Commanders for their new Army, and appointed Sir *Tho. Fairfax* to be General, and Major *Skippon* to be Major-General. And on the 28*th* of *January* the Ordinance for raising and maintaining of Forces under the Command of Sir *Tho. Fairfax* being compleated and passed by the Commons,

The Strength of the Army according to the new Model.

The Charge thereof.

Sir *Tho. Fairfax* named General, *Jan.* 21.

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Some Debate between the Lords and Commons about the Ordinance for the Army.

mons, was ſent up to the Lords for their Concurrence; who read it twice and committed it, *Febr.* 1. and on the 4*th* of the ſame Month returned; It paſſed their Houſes, but not without Additions, *viz.* That all Colonels, Majors, Captains, and other Officers in the Army be nominated and approved of by both Houſes of Parliament: That all Officers and Soldiers ſhall take the National Covenant, and upon refuſal thereof to be for ever incapacitated: That the Lord Lieutenant of every County be of the Committee of that County as to this Ordinance, *&c.* Theſe Proviſo's occaſioned ſeveral Conferences between the Houſes, the Commons conſented, That Sir *Tho. Fairfax* ſhould nominate all the Officers in his Army to be taken out of any the Armies under the Command of the Parliament, and to be approved by both Houſes. As alſo that no Commanders ſhould be admitted, but ſuch as ſhould within twenty days take the Covenant. But could not agree with the Lords, That thoſe Perſons in the Army that make a ſcruple of Conſcience to take the Covenant (not out of any diſaffection to it, or to the Parliament) ſhould therefore by a Law be for ever made incapable of ſerving in this Army, ſince it may happen they may hereafter be ſatisfied and take the ſaid Covenant. Whereupon the word *Incapable* was left out, and that Ordinance on the 15*th* of *February* was paſs'd as followeth.

An Ordinance of the Lords and Commons aſſembled in Parliament, for raiſing and maintaining of Forces for the Defence of the Kingdom, under the Command of Sir *Tho. Fairfax*, Knight.

BE it Ordained, and it is Ordained by the Lords and Commons in Parliament aſſembled, That there be forthwith raiſed and formed for the Defence of the King and Parliament, the true Proteſtant Religion, and the Laws and Liberties of the Kingdom, an Army conſiſting of Six thouſand ſix hundred Horſe, to be diſtributed into eleven Regiments, and of One thouſand Dragoons to be diſtributed into ten Companies; and of Fourteen thouſand four hundred Foot, to be diſtributed into twelve Regiments, each Regiment of Foot is to conſiſt of Twelve hundred, and each ſuch Regiment to be diſtributed into and to conſiſt of ten Companies: Which ſaid Army ſhall be paid according to the Eſtabliſhment hereafter to be made by both Houſes of Parliament; and ſhall be under the immediate Command of Sir *Thomas Fairfax* Knight, who is hereby Conſtituted and Ordained Commander in Chief of all the Forces raiſed, or intended to be maintained, by virtue of this preſent Ordinance, and ſhall from time to time be ſubject to ſuch Orders and Directions as he ſhall receive from both Houſes of Parliament, or from the Committee of both Kingdoms.

II. And it is likewiſe Ordained, That Colonel *Philip Skippon* ſhall be Serjeant Major-General of all the Forces aforeſaid.

III. And it is further Ordained by the ſaid Lords and Commons, That the ſeveral Sums hereafter herein mentioned, ſhall from the firſt Day of *February*, One thouſand ſix hundred forty four, be taxed, levied and paid for the maintenance and payment of the ſaid Army, and Charges incident in manner and form following, *viz.*

IV. There ſhall be Monthly charged, until the firſt of *December* next, if the War ſhall ſo long continue;

Upon the City of *London* and the County of *Middleſex*, the Sum of Eight thouſand fifty nine Pounds and fifteen Shillings.

Upon the County of *Eſſex* Monthly, the Sum of Six thouſand ſeven hundred and fifty Pounds.

Upon the County of *Suffolk* Monthly, the Sum of Seven thouſand and ſeventy Pounds.

Upon the County of *Norfolk* Monthly, the Sum of Seven thouſand and ſeventy Pounds.

Upon the City and County of the City of *Norwich* Monthly, the Sum of Three hundred ſixty and ſix Pounds.

Upon the County of *Lincoln* Monthly, the Sum of Two thouſand and ſeventy Pounds.

Upon the County of *Hertford* Monthly, the Sum of Two thousand four hundred thirty-two Pounds and ten Shillings. 20 *Caroli.*

Upon the Isle of *Ely* Monthly, the Sum of Seven hundred twenty-eight Pounds thirteen Shillings and four Pence.

Upon the County of *Cambridge* Monthly, the Sum of Two thousand one hundred and seventy-one Pounds six Shillings and eight Pence.

Upon the County of *Huntington* Monthly, the Sum of One thousand and twenty Pounds.

Upon the County of *Kent*, with the City and County of the City of *Canterbury*, and the Cinque-Ports Monthly, the Sum of Seven thousand and seventy Pounds.

Upon the County of *Surry* with the Burrough of *Southwark* Monthly, the Sum of Two thousand Pounds.

Upon the County of *Derby* Monthly, the Sum of Five hundred and sixteen Pounds.

Upon the County of *Sussex* Monthly, the Sum of Three thousand nine hundred and twenty-seven Pounds, fifteen Shillings and six Pence three Farthings.

Upon the County of *Rutland* Monthly, the Sum of One hundred and eighty-four Pounds.

Upon the County of *Warwick* Monthly, the Sum of Three hundred Pounds.

Upon the County of *Leicester* Monthly, the Sum of Two hundred and fifty Pounds.

Upon the County of *Northampton* Monthly, the Sum of Four hundred and fifty Pounds.

Upon the County of *Bedford* Monthly, the Sum of One thousand Pounds.

V. And that the said several Sums of Money may be duly Taxed, Levied and paid as is hereafter directed: Be it further Ordained by the said Lords and Commons, that the several and respective Committees hereby appointed for the several and respective Cities, Counties and Places aforesaid, shall within Eight Days next ensuing the Publication hereof, meet together at some convenient Place, in every of the said Cities, Counties and Places respectively, and afterwards Seven of them at the least, shall twice every Week at least, meet at such convenient Places as they shall think fit and appoint for the more speedy Execution of this Ordinance, and the said respective Committees are hereby required, and authorized at the Days and Places of their first Meetings, to divide and apportion the several Sums of Money appointed by this Ordinance to be Levied for the Maintenance of the said Army, upon the several and respective Wards, Divisions, Hundreds, Lathes and Wapentakes within the several Cities, Counties and Places aforesaid, according to the usual Proportions and Divisions of Rates in the said Places, and likewise shall and may there agree to divide, and sever themselves for the better Execution of this Ordinance, into such Wards, Hundreds, Places and Divisions within their respective Cities, Counties and Places, as to them shall seem expedient, and to take to their Assistance for the more speedy Execution of the said Service in the several Divisions, such able and sufficient Persons as they shall think fit, and to assemble and meet as often as to them shall seem good; and forthwith the said Committees or any two or more of them respectively are hereby authorized and required to direct their Warrants to such number of Persons as they shall think fit within their several and respective Divisions to be Assessors of the said Rates, which said Persons are hereby authorized and required to assess all and every Person and Persons, having any Real or Personal Estate within the Limits, Circuits and Bounds of their respective Divisions, according to the Rate and Proportion in this Ordinance mentioned.

VI. And be it further Ordained, That the several and respective Committees in each of the several Counties, Cities and Places shall have Power to assess and levy the several Sums before-mentioned upon the Lands, Goods, Annuities, Rents, Offices, or other Estate, Real or Personal, in

An. 1645. ſuch manner and form, and according to the moſt equal and uſual Rates for Levying of Money, for maintenance of the Forces for the Defence of the King and Parliament, or by a certain Rate upon the true yearly Values of Lands, Rents, Annuities, Offices, Hereditaments, and according to the true value of Goods, Chattels, Debts, or other Eſtate Real or Perſonal within the ſaid ſeveral Counties, Cities, Limits or Places reſpectively.

And to the end, the ſaid Rates be equally and indifferently Aſſeſſed, and the Moneys duly collected, and true Accompt thereof made: The ſaid Aſſeſſors are hereby required within ſix Days after ſuch Aſſeſſment made, to deliver one Copy of their reſpective Aſſeſſments fairly written and ſubſcribed by them unto the ſaid reſpective Committees; and the ſaid reſpective Committees are hereby Ordained and required to Sign and Seal three Duplicates of the ſaid reſpective Aſſeſſments, whereof one Duplicate the ſaid reſpective Committees are to deliver to the reſpective Collectors with Warrant to them to collect the ſaid Aſſeſſments; and one other Duplicate to ſuch Perſon or Perſons as the Houſes of Parliament ſhall afterwards appoint for the receiving of the Moneys to be Levied by virtue of this Ordinance; and the third Duplicate unto the Committee of Accompts of the Kingdom, who are hereby authorized to adminiſter an Oath to the Perſon that ſhall bring the ſaid Duplicates to the Committee for the Accompts, as hath been accuſtomed in the Court of *Exchequer* in caſe of the Eſtreats of Subſidies.

VII. And the ſaid ſeveral Committees, or any two of them, are hereby reſpectively authorized from time to time to nominate one or more ſufficient and honeſt Perſons in every Diviſion or Allotment, to be Collectors of the ſaid Moneys ſo Aſſeſſed and Rated, which ſaid Collectors are hereby authorized and required to collect the ſaid Moneys ſo Aſſeſſed, and the ſaid Committee or any Six of them are hereby authorized to allow and pay to the ſaid reſpective Collectors, and their Sub-Collectors, one Peny apiece in the Pound for their pains in Collecting the ſaid Moneys, and one half Peny in the Pound to their Clerks for their pains in fair Writing the ſaid Aſſeſſments. And if any Perſon ſhall refuſe or neglect to pay any Sum of Money whereat he ſhould be Rated or Aſſeſſed, that then it ſhall and may be lawful to and for the ſaid Collectors or any of them to Levy the Sum ſo Aſſeſſed by Diſtreſs and Sale of the Goods of ſuch Perſons ſo refuſing or neglecting to pay, deducting the Sum Aſſeſſed, and the reaſonable Charges of Diſtraining, and reſtore the Overplus to the Owners thereof; and to break open any Houſe, Cheſt, Trunk, Box, or other Thing, where any ſuch Goods are, and to call to their aſſiſtance any of the Trained Bands, or any other Forces within the Cities, Counties or Places where any reſiſtance ſhall be made, or any other Perſon or Perſons whatſoever; which ſaid Forces and Perſons are hereby required to be aiding and aſſiſting in the Premiſſes as they ſhall anſwer the contrary at their Perils. And if any queſtion or difference happen upon the taking ſuch Diſtreſs between the Parties diſtrained, or diſtraining, the ſame ſhall be ended and determined by the ſaid Committees, or any two or more of them: And the ſaid ſeveral Committees, or any two or more of them, are hereby authorized to uſe ſuch other lawful ways or means for the ſpeedy Levying of the ſaid Aſſeſſments, as to them ſhall be thought fit. And if any Perſon or Perſons ſhall neglect or refuſe to pay his Aſſeſſment, and convey his or their Goods, or other Perſonal Eſtate, whereby the Sum of Money ſo Aſſeſſed cannot be Levyed according to this Ordinance; then the ſaid reſpective Committees, or any two or more of them, are hereby authorized to impriſon the Perſons, and Sequeſter the Eſtate of any ſuch Perſon, for the advancement of the ſaid Service; and the Tenants of all Houſes and Lands, which ſhall be Rated by Virtue of this Ordinance, are hereby required and authorized to pay ſuch Sums of Money as ſhall be Rated upon ſuch Houſe and Lands, and to deduct out of their Rents ſo much of the ſaid Rates, as in reſpect of the Rents of every ſuch Houſe and Lands, the Landlords ſhould or ought to pay and bear, and the Landlords both mediate and

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immediate, according to their respective Interests are hereby required to allow such Deductions and Payments upon the receipt of the residue of their Rents. And be it provided, That every Tenant paying the said Assessment shall be acquitted and discharged for so much Money as the said Assessment shall amount unto, as if the same had been actually paid, unto such Person or Persons, unto whom his Rents should have been due and payable.

VIII. Provided also, and be it Ordained, That all Fee-Farm Rents due to his Majesty, all Rents and other Sums reserved by the *Court of Wards*, out of any Wards, Infants, or Lunaticks Estates, and all other manner of Rents, Payments, and Sums of Money, and all Annuities issuing out of any Lands within any City or County, shall be lyable towards the Payment of any Sum by this Ordinance to be Taxed and Levied. And all the Tenants of any Fee-Farm Rent, other Rent, Sums of Money, or Annuities as aforesaid, are hereby directed and authorized to pay them proportionably, according to the Rates, and Assessments by this Ordinance appointed and Ordained. And all such Tenants shall be hereby saved and kept harmless by Authority of both Houses of Parliament from any further payment of such proportion of any such Rent, Rents, Sums or Annuities, either to the *Exchequer*, to the Committee of the Revenue, to the *Court of Wards*, or to any other Person, or Persons, to whom any such Rent, Rents, Payments, Sums of Money, or Annuities as aforesaid, shall or ought to be paid, to all intents and purposes whatsoever as fully, and as amply, as if they had paid the same into the *Exchequer*, to the Committee of the Revenue, the *Court of Wards*, or to any Person or Persons, to whom the same is reserved, and become due

IX. And if any difference shall arise between Landlord and Tenant, or any other concerning the said Rates; the said several Committees, or any two or more of them, in their several Divisions, have hereby power to settle the same, as they shall think fit.

X. And it is further Ordained, that if any Person, or Persons, shall find him or themselves aggrieved, that he or they, is or are over-rated, and shall within six days after demand, make complaint to the Committees who Signed, or allowed his or their Assessment; The major Part of the said Committees shall have power upon Examination, within eight days after the Demand as aforesaid, to relieve such Person or Persons as they shall see cause. And the said Collectors and every of them are hereby required from time to time, to pay such Sum and Sums of Money as shall be by them collected by virtue of this Ordinance, to such Person or Persons as the Houses of Parliament shall afterwards appoint for receiving of the Moneys to be Levied by Virtue of this Ordinance.

And be it further Ordained by the said Lords and Commons, That if any Person or Persons shall wilfully neglect or refuse to perform his Duty in the due and speedy Execution of this present Ordinance; the said respective Committees, or any five or more of them, have hereby power to impose upon such Person or Persons so refusing or neglecting their Duties, such Fine or Fines, as to them shall be thought fit; and cause the same to be Levied by Distress and Sale of Goods in manner and form aforesaid. Provided, That no Fine to be imposed by any of the said Committees, shall for any one Offence exceed the Sum of Twenty Pounds, to be paid for the Forces raised by virtue of this Ordinance. And that no Fine to be imposed upon any Assessor, Collector or other Person to be employed by the said Committees in the said Service, shall for any Offence exceed the Sum of Forty Shillings: And that no Privilege, Place, or Person within the Cities, Countries and Places aforesaid shall be exempted from the said Assessments and Taxes.

XI. And be it further Ordained, That the said several and respective Committees, and every of them, shall from time to time give a true and perfect account of all their doings and proceedings in the Execution of this Ordinance, to the Two Houses of Parliament; or to such Persons as they shall appoint.

An. 1645. XII. And be it further Ordained by the said Lords and Commons, That every Captain both of Horse and Foot, and every other Inferior and Superior Officer, or other, in the said Army, whose Pay comes to Ten Shillings a day, or above, shall take but half the Pay due to him, and shall respite the other half upon the Publick Faith, until these unnatural Wars be ended. And every Officer or other that is to have Five Shillings a day, or above, and under Ten Shillings, shall accept of the two thirds of the Pay due to him, and shall respite one third part upon the Publick Faith, until these Unnatural Wars shall be ended. And when there is three Months Pay due to any of them, or more, a Certificate thereof from such Person or Persons as the Houses of Parliament shall afterwards appoint for the receiving of the Moneys to be Levied by virtue of this Ordinance, shall be sufficient to demand the said Moneys owing upon the Publick Faith as aforesaid.

Provided always, That such Rates and Assessments that shall be made by virtue of this Ordinance, upon any Peers, Members, Assistants or Attendants upon either of the Houses of Parliament, for any Rate or Tax made within the Cities of *London* and *Westminster*, or Lines of Communication, shall before the same be Levied, be presented to the respective Houses, where any Peer, Members, Assistants, or Attendants shall be concerned therein respectively, and by such respective House allowed and approved of; any thing in this Ordinance to the contrary notwithstanding.

XIII. And it is further Ordained, That the Persons hereafter named respectively shall be Committees for the several and respective Cities, Counties and Places hereafter mentioned, to put this Ordinance in Execution, in the several and respective Counties, Cities and Places, for which they are hereby respectively appointed Committees. *Viz.*

XIV. Provided, That from and after the first of *February* 1644, no more " Money shall be raised upon the respective Counties of *Sussex*, *Surry*, " and *Kent*, by virtue of any former Ordinance of Association, than " what the Committees of the said Counties respectively shall raise, for " paying of Arrears due upon any former Ordinance for paying the re- " spective Garrisons in the said Counties, according to the Establishment " of the said Garrisons, and for paying such Forces for the defence of " their Counties, as the respective Committees and Deputy Lieutenants " or the major Part of them shall think fit.

XV. Provided, That the Commander in Chief nominated in this Ordinance shall have power to nominate all Colonels, Lieutenant Colonels, Serjeant Majors, and Captains out of any of the Forces under the Command of the Parliament to be approved of by both Houses of Parliament.

Provided further, That all Commanders and Officers that shall be imployed in this Army, and to be approved of by both Houses of Parliament as aforesaid, shall take the National League and Covenant of both Kingdoms within twenty days after they shall be Listed in the said Army, which Solemn League and Covenant shall be tendered as aforesaid unto all the Officers before mentioned by some Minister whom the Commander in Chief shall choose in the Presence of him the said Commander in Chief, or the Major-General: And a Return to be made by them unto the Two Houses of Parliament from time to time of the Names of all such as shall take the same; and all such as shall refuse to take the Solemn League and Covenant, shall upon their refusal be displaced, and shall not be admitted to any Office or Command in the said Army, until they shall have taken the said Solemn League and Covenant, in manner and form as aforesaid, and such their Conformity certified and approved of by both Houses of Parliament.

XVI. And be it Ordained, That all Common Soldiers of this Army shall likewise take the same at such time and in such manner as shall be in that behalf directed by both Houses of Parliament.

XVII. Provided also, That every Lord Lieutenant, who is not disabled by Ordinance of Parliament to sit in the House of Peers, shall in their several

several and respective Counties, be of the Committee now appointed by this Ordinance.

XVIII. Provided further, That all Arrearages due upon the several Ordinances of Weekly Assessments for the Seven associated Counties of *Norfolk*, *Suffolk*, *Lincoln*, *Cambridge*, *Essex*, *Hertford*, and *Huntington*, which are yet Unlevied shall be Levied according to the said several Ordinances, notwithstanding the Expiration of the said Ordinances by which they were due, and notwithstanding this Ordinance, or any thing therein contained to the contrary.

Sir *Tho. Fairfax* being sent for, is brought into the House, *Febr.* 19.

An Express being sent to Sir *Tho. Fairfax* to invite him to come up to the Parliament; He on *Febr.* 18. came to *London* in a private manner, accompanied only with Col. Sir *William Constable*, Col. *Rigby*, Col. *Sandys*, Col. *Alured*, and some few other Officers. And next day the House of Commons sending Four of their Members to him, he was by them Conducted into the House, where a Chair was placed for him, but he modestly refused it, and stood bare whilst the *Speaker* told him what he had in Command from the House to deliver unto him, which was,

The Substance of the *Speaker's* Speech to Him.

"That that House, out of the great Experience and Confidence they "had of his Valour, Conduct, and Fidelity, had thought fit to confer "the great Trust of Commanding their Armies in Chief upon him: "And giving him Thanks in the Name of the House for his many and "great Services past, encouraged him to go on as he had begun, assu-"ring him of the Care and Protection of the Parliament in the dis-"charge of that weighty Trust which the Kingdom reposed in him.

But in the approving the List of Sir *Thomas*'s Officers there was like to be a difference between the Two Houses, but after several Conferences the Peers, *March* 18. concurred without making any Alteration at all, which was so acceptable to the Commons, that they sent a Congratulatory Message to the Lords, and to assure them of the real Affection and Endeavours of the House of Commons to support their Lordships in their Honours and Privileges.

The Commons Complement the Lords, *March* 18.

The List of the Officers of the New-Model'd Army.

Names of the Colonels both Horse and Foot, first appointed in this New Model.

Sir *Tho. Fairfax* Commander in Chief. Major-General *Skippon.*

Officers of Horse,	Officers of Foot,
Col. *Middleton.*	Col. *Crayford.*
Sidney.	*Berkley.*
Graves.	*Aldridge.*
Sheffield.	*Holborn.*
Vermuden.	*Fortescue.*
Whaley.	*Ingoldsby.*
Sir *Mich Livesey.*	*Montague.*
Fleetwood.	*Pickering.*
Rossiter.	*Welden.*
Sir *Robert Pye.*	*Rainsborow.*

An Ordinance for calling Members from Civil and Military Offices, read in the Commons House *March* 24.

March the 24*th*, The Commons Reassumed the Debate of an Ordinance (the same in effect with that before Rejected by the Lords, but with some alterations) for calling in the Members of both Houses from Military and Civil Places and Offices, which was Read a first and second time, and Committted.

The

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Ordinance for *Fairfax*'s Commission pass'd the Commons *March* 24.

The same day they took into Consideration the Commission to be given to Sir *Tho. Fairfax*, and to that purpose an Ordinance in the nature of a Commission was also read the first and second time, and Ordered, That some Members of the House should presently withdraw, and make some Alterations in a Clause therein, and to Report before the Rising of the House, which being done accordingly, it was Read the third time, and passed the same Morning, and ordered to be sent up to the Lords for their Concurrence.

A Conference for punishment on such as raise false Reports to set Variance beween the Two Houses.

Likewise a Message was sent to the Lords to desire a Conference, which being agreed to, Sir *John Evelyn* Jun. in the Name of the Commons House declared to their Lordships to this effect: That when the Commons received the last Message, and Satisfaction from their Lordships, in passing the List of the Officers for Sir *Thomas Fairfax*'s Army, the House of Commons took special notice that their Lordships desired that all united Correspondency might be between both Houses, and that he was now commanded by the House of Commons to express their desire of an happy Concurrence, being very sensible, that it was the greatest Endeavour of some Persons ill affected to foment discontents, and to Report that the House of Commons aimed to undermine their Lordships Privileges, which Intention they disclaimed and abhorred. Also that they did acknowledge the many Noble and Renowned Actions performed by their Lordships Ancestors in defence of the Liberty of the Commons, and did take notice of the Labours and unwearied Endeavours of their Lordships in assisting them in the present great Affairs of the Kingdom, for the safety of it, without respect to themselves, or their particular Safeties, and wished that punishment might be inflicted on those that endeavour to raise up such a confusion as must ensue the disjoining or putting variance between the Two Houses, against which the Commons did protest, and therefore desired, That their Lordships would concur with them to find out the Raisers and Spreaders of such false and mischievous Reports.

Then a Declaration of the House of Commons was Read to this effect:

Commons Declaration of their Respects to the Lords.

That whereas many disaffected Persons had endeavoured to foment Jealousies and Divisions, by raising a Report, That the House of Commons had an intention to subvert the Peerage of *England*; The House of Commons do declare, that they do so far detest any such design or intention, that they will use all possible means for the discovery of the Authors of such Report, and to bring them to condign punishment. And do further declare, That as they have bound themselves by several Protestations, so they will ever be as tender and careful to maintain the Honour and Rights of the Peerage of *England*, as their own.

Which Declaration being read was left with their Lordships.

March 31. The Ordinance for calling in of the Members from all their Military and Civil Offices, being read a third time, was sent up to the Lords.

The Lords pass the Ordinance, Commissionating Sir *Tho. Fairfax*, Apr. 1.

Apr. 1. At a free Conference of both Houses, Reasons being given by the Commons for the speedy passing the Ordinance Commissionating Sir *Thomas Fairfax*, the Lords returned to their House, and passed the same without any Alterations: The purport of which

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which Ordinance was to Constitute Sir *Thomas Fairfax* Commander in Chief of the Army, and them to lead against all Rebels, Traytors, and other common Enemies, and them to kill and slay, &c. Also giving him power to Exercise Martial Law, according to the Rules of War, and the Laws and Ordinances confirm'd this present Parliament, which were to be read in the Head of his Army. Likewise that he should have Command over all Castles, Garrisons, or Towns Fortified, or to be Fortified, not removing or displacing the Governours. That he should have power to nominate a Provost Marshal, or Marshals for the Executing his Commands, and to Command Waggons, Carts or Boats, for the Carriage of his Ordinance, Ammunition or Provisions, as there shall be Occasion, &c.

Officers not Imployed to have their Arrears.

Furthermore, The Commons took into Consideration the Officers not Imployed under Sir *Thomas Fairfax*, and Ordered that all such Officers, upon Certificate of their good Carriage from Major General *Skippon*, shall have their Arrears Audited, allow'd and paid.

General *Essex*, the Earl of *Manchester*, and the Earl of *Denbigh*, Surrender their Commissions, *April* 2.

April 2. The Lord General *Essex*, the Earl of *Manchester*, and the Earl of *Denbigh* in the House of Peers offered to Surrender their respective Commissions, which was accepted and approved of by that House, who thereupon desired a Conference with the Commons, where a Paper was read presented by the Earl of *Essex* to this Effect; *That he having been imployed for almost three years past as Lord General of all the Parliament's Forces raised for the Defence of the King, Parliament and Kingdom; which Charge he had endeavoured to perform with all Fidelity and Sedulity; yet considering by the Ordinances lately brought up to the House of Peers, that it would be advantagious to the Publick, he desired to lay down his Commission, and freely to render it into the hands of those from whom he received it, and desired that such of his Officers as have been faithful in their Places, and should now be left out, might have a considerable Part of their Arrearages paid unto them in as convenient time as both Houses of Parliament should think fit, and Security by the Publick Faith for the Payment of the rest. And whereas there were three of the Officers fallen into the ill Opinion of the Honourable Houses, he moved that they might be brought to a speedy Trial, that so either their Innocency might be manifested, or they might suffer condign Punishment according to their Demerits.*

A Paper of the Earl of *Essex*'s read.

Likewise at the said Conference there was read and left with the Commons, a *Declaration* of this Import, viz.

A Declaration of the Lords, that this Surrender is an acceptable Service, and a Demonstration of the Fidelity of those three Lords.

THAT whereas the Earl of *Essex*, Earl of *Manchester*, and the Earl of *Denbigh*, had this day in the House of Peers laid down their Commissions, the said House doth declare, That they do esteem it an acceptable Service in this Conjuncture, and an evident Demonstration of the Fidelity and Care these three Honourable Lords have to the Publick, and therefore this House does desire the House of Commons to concur with them therein, for that as they had received their Commissions from both Houses of Parliament, so they laid down their Power into those hands from which they received it: And they likewise moved, That a course may be taken for the Payment of their Officers Arrears.

The Self denying Ordinance pass'd the Lords.

Essex and these other Lords being thus by their own Consent laid aside from the Army, the Self-denying Ordinance was next Day freely pass'd by the Peers, as follows.

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An. 1645.

Die Jovis 3. Aprilis 1645.

An Ordinance of the Lords and Commons Assembled in Parliament, for the Discharging of the Members of both Houses from all Offices, both Military and Civil.

The Self-denying Ordinance, *April* 3. 1645.

BE it Ordained by the Lords and Commons Assembled in Parliament, That all and every of the Members of either House of Parliament shall be, and by Authority of this Ordinance are Discharged at the end of forty days after the passing of this Ordinance, of and from all and every Office or Command Military or Civil, granted or conferred by both or either of the said Houses of this present Parliament, or by any Authority derived from both or either of them since the 20*th* day of *November* 1640.

And be it further Ordained, That all other Governours and Commanders of any Island, Town, Castle or Fort, and all other Colonels and Officers inferior to Colonels in the several Armies, not being Members of either of the Houses of Parliament, shall according to their respective Commissions continue in their several Places and Commands, wherein they were imployed and intrusted the 20*th* day of *March* 1644, as if this Ordinance had not been made. And that the Vice-Admiral, Rear-Admiral, and all other Captains, and other inferior Officers in the Fleet, shall according to their several and respective Commissions continue in their several Places and Commands, wherein they were imployed and intrusted the said 20*th* day of *March*, as if this Ordinance had not been made.

Provided always, and it is further Ordained and Declared, That during this War, the Benefit of all Offices, being neither Military nor Judicial, hereafter to be granted, or any way to be appointed to any Person or Persons by both or either House of Parliament, or by Authority derived from thence, shall go and inure to such Publick Uses as both Houses of Parliament shall appoint. And the Grantees and Persons executing all such Offices shall be accountable to the Parliament for all the Profits and Perquisites thereof, and shall have no Profit out of any such Office, other than a competent Salary for the Execution of the same in such manner as both Houses of Parliament shall Order and Ordain.

Provided that this Ordinance shall not extend to take away the Power and Authority of any Lieutenancy or Deputy-Lieutenancy in the several Counties, Cities or Places, or of any *Custos Rotulorum*, or of any Commission for Justices of Peace or Sewers, or any Commission of *Oyer* and *Terminer*, or Goal-delivery.

Provided always, and it is hereby declared, That those Members of either House, who had Offices by Grant from his Majesty before this Parliament, and were by his Majesty displaced sitting this Parliament, and have since by Authority of both Houses been restored, shall not by this Ordinance be Discharged from their said Offices or Profits thereof, but shall enjoy the same; Any thing in this Ordinance to the contrary thereof notwithstanding.

Fairfax to *Windsor*, April 3.

The same third of *April* Sir *Thomas Fairfax* went from *London* to *Windsor*, where he appointed his General Rendezvous, having caused Proclamation to be made throughout *London*, for all Officers and Soldiers under his Command to give their Attendance there on *Monday* the 7*th*; and there he continued till the last of that Month, diligently busie in Modelling his Army, wherein he was to Encounter the Discontents of those that were reduced under New Commanders, and of those that wholly went off from Imployment. And besides fitting the Train for the Field, and the Attendance of the Recruits from *London*, an intire New Form was

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to be introduced into the whole Army, the Forces that remained of the Old Army being not only to be Recruited, but reduced into New Companies and Regiments, as if they had been newly raised.

In this Work Major General *Skippon* did much assist him, who on *Saturday* the *6th* of *April*, being come to *Reading*, where were Quartered five Regiments of the Earl of *Essex*'s Forces, late Lord General, and five Companies of the Lord *Roberts*'s, he caused them to be drawn out into the Field, and in the Head of that which had been his Excellency's Regiment, first made the Speech following,

Skippon's Speech to the Soldiers, *April 6th.*

Gentlemen and Fellow-Soldiers all,

I Am now to acquaint you with the Commands of Parliament, to which in Conscience to God, and Love to our Country, we are bound to give all chearful and ready Obedience. There is a Necessity lies upon us (since three Armies are to be reduced into one) that some Commanders and Officers must go out of their Imployments wherein they now are; it is not out of any Personal Disrespect to any of you that shall now go off, therefore I hope you will behave your selves accordingly. I have received Order from the House of Commons to take Notice what the Comportment shall be of those who must now go off, and to certify unto them: I know you will behave your selves like Men of Honour and Honesty (as indeed you are,) and that I shall have no Cause, but to make a good Report of you, which I shall do according to your Carriage in this Reducement, both to the *Speaker* of the Honourable House of Commons, and the Committee of both Kingdoms, and that particular Committee which are appointed to take you into Consideration, and to take in your Accompts, and pay you part of your Arrears at present, and for the rest, you are to have a *Debentur* upon the Publick Faith of the Kingdom. But if there shall be any among you, who out of any Personal Respect or private Discontent shall make any disturbance in this Reducement, so as to obstruct or hinder a Work of so Publick Concernment, I shall not fail to give him his true Character to the State, without Personal Respect to any: And therefore let no Man deceive himself, for although he may perhaps occasion some Trouble in the present Business, yet in the Issue, the greatest Mischief will fall upon himself: But I hope I shall find none such here. There is (at present) a Fortnight's Pay to be paid to such Officers as shall go off, which they shall presently have upon their Muster: And as for the Officers and Soldiers that are continued, (as soon as they shall be Mustered and Listed) they also shall have a Fortnight's Pay; and there are Clothes come down for the Soldiers already in part, and I assure you, that upon my Life and Honour there are more providing, and you shall be all furnished with Coats, Breeches, Stockings, Shoos, and such Arms as you shall stand in need of, with all good Usage and constant Pay. And that as I have been with you hitherto, so upon all Occasion of Service to my God and Country, I shall by the help of God, be willing to live and die with you.

This Speech, and the great Esteem the Officers and Soldiers in general had for *Skippen*, had such Influence, that all freely submitted, and those five Regiments and five Companies were reduced into three Regiments; which Work being happily affected on that Regiment which was the late General's, and so like to prove most refractory, especially for that they were Quartered in a Frontier Garrison so near the King's Quarters, which made the matter more hazardous; They, I say, being so quietly reduced, set an Example to the rest in other Places, so that in a short time the whole Army was brought into the New designed Model, notwithstanding that at this time *Dalbeer* with eight Troops of Horse, stood at a distance,

 insomuch,

An. 1645. insomuch, as he and they were expected at *Oxford*, but at last submitted to the Parliament.

But before we follow the Army to Action, it may be some Satisfaction here to exhibit a Scheme of the Posture of Affairs at that time, or the Strength and Advantages of each Party, as follows.

The State of the Kingdom as to the Strength of his Majesty, and that of the Parliament in the Beginning of May 1645, *Exhibited in Two Tables: The one shewing unto what Counties, Cities, Towns, Castles and Places of Strength, the King's Forces reached and Garrisoned, as also the Field-Forces his Majesty had to maintain the same, and to Enlarge his Quarters.*

The other shewing what Forces, Garrisons or Places of Strength the Parliament had to Ballance the same.

In two Divisions: The one containing the Western Counties, *the other the* Midland Parts.

The First Division.

	The King had		The Parliament had
In *Cornwall*	THE whole County entire to himself, with the Places of Strength therein, well Fortified and Manned, *viz.* The *Mount*, the Strong Castle of *Pendennis*, *Dennis* Fort and *Helford* Fort, which commanded the Commodious Harbour of *Falmouth*; the Garrisons of *Foy*, *Salt-ash*, *Mount Edgecombe* and *Lanceston*; besides his Majesty kept some Forces at *Padstow*, and St. *Ives*.	In *Cornwall*	neither Field-Force, Port-Town nor Inland-Garrison, and besides the People were generally disaffected to the Parliament.
In *Devon*	All *Devon* entire to himself, (except *Plimouth* only) and therein these Considerable Garrisons well Fortified and Manned, *viz.* *Excester*, *Barnstable* and *Dartmouth*, the Fort at *Exmouth*, *Pouldram* Castle, Fort *Charles* at *Salcombe*, *Ilfordscombe*, *Hopton*'s Fort, and the other Forts before *Plimouth*, St. *Budeax*, the Garrison at Sir *Francis Drake*'s House, *Peymouth*-House, *Barley*-House and *Inch*-Garrison.	In *Devon*	*Plimouth* only, and that Besieged, not any Inland-Garrison.

The

21 *Caroli.*

	The King had		The Parliament had
in *Somerset*	All in his Power, (except *Taunton* only, which was then strait Besieged by him) and in that Country the strong Garrisons of *Bristol* and *Bridgwater*, *Bath*, *Lamport* Burrough, *Nunny*-Castle, *Portshead* Point, *Ilchester*, *Chidiak*-House and *Farley*-Castle.	in *Somerset*	*Taunton*, the only Inland-Garrison, close Besieged at that time, and in great Distress for want of Relief.
in *Dorset*	*Portland* Castle, and the Island there, *Corf*-Castle, and *Sherborn*-Castle.	in *Dorset*	The Port-Towns of *Pool*, *Lyme* and *Weymouth*.
in *Wilts*	The Garrisons of the *Devizes*, *Laicock*-House, *Langeford*-House, and *Highworth*.	in *Wilts*	*Malmesbury* - Castle only.
in *Hants*	The strong Garrison of *Basing* and *Winchester*.	in *Hants*	The Garrison of *Portsmouth*, *Southampton* and *Christ-Church*, Port-Towns.
in *Berks*	*Farrington*, *Wallingford*, *Dennington*, and *Radcot*.	in *Berks*	*Abingdon*, *Reading* and *Windsor*.
in *Oxford*	The City of *Oxford*, the *King's-head* Garrison, *Banbury*, *Woodstock*, *Gaunt*-House, *Blechingdon*-House and *Godstowe*.	in *Oxford*	*Henly* Garrison.
in *Bucks*	*Borstall*-House Garrison.	in *Bucks*	*Alisbury*.

The King's Field-Force for the WEST.

THE King's Field-Forces for the securing these Western Counties and Garrisons even from *Oxford* to the *Mount* in *Cornwall*, under the Command of the Lord *Goring*, the Lord *Hopton*, Sir *Richard Greenvile*, and Major General Sir *John Digby*, Brother to *George* Lord *Digby*, may modestly be computed to be in Number above 100000 Horse and Foot, besides their several Garrisons secured; as may easily be credited, if it be considered, the

The Parliament's Field-Force for the WEST.

THE Parliament (not thinking it safe to spare the New raised Army under his Excellency Sir *Thomas Fairfax*, to attend the Great Business of the West, and leave the Parliament, City and Association, without a Guard, and the Royal Army about *Oxford* unattended:) designed only the remaining Regiments of the Earl of *Essex's*, and Sir *William Waller's* Horse, which were not reduced into the New Model to busie the Enemy in the great

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great Force they had before *Taunton*, during the two ſtrait Sieges thereof, and the many Men they loſt in both thoſe Services, and yet with what a conſiderable Army they were at *Lamport*, when they were Beaten there, and at the ſame time alſo maintaining the Siege before *Plimouth* with a conſiderable Force.

Beſides, His Highneſs Prince *Charles* was then in Perſon in the *Weſt*, raiſing New Forces, whoſe Preſence had ſuch Influence in thoſe Parts, eſpecially on the *Club-men*, (who were thereby made bold in their Meetings, and receiv'd Commiſſion under his Hand and Seal, to form themſelves into Regiments) that it was no ſmall Addition of Reputation to that Army.

Weſt, viz. of Sir *William Waller's*, Col. *Cook's*, Col. *Fitz-James*, Col. *Popham* and the *Plimouth* Regiment; of the Earl of *Eſſex's* Forces, the Relicts of Col. *Bears*, and Col. *D' Albiers* Regiments, under Lieutenant Colonel *Buller*, Aſſigned over to Major General *Maſſey*, which Regiments were formed into a Brigade, and deſigned under the Command of Major General *Maſſey* for the Weſtern Parts, but a little before the Battle at *Naſeby*.

The Second Diviſion.

In the County of	The King had	In the County of	The Parliament had
Hereford	THat Country intirely to himſelf, with the Garriſons of *Hereford, Gotheridge* and *Canon Frome*.	*Hereford*	No Garriſon-place of Strength, nor Field-Force.
Worceſter	The City of *Worceſter, Eveſholme* Garriſon and *Hartlebury* Caſtle.	*Worceſter*	*Hawkſwarth* - Caſtle only.
Salop	The Gariſons of *Ludlow-Bridge, North-Dayly, Shrawarden*-Caſtle, *Caes*-Caſtle, *Morton - Gorbet*-Houſe, *Stockley*-Caſtle, *Rowton*-Caſtle, *Linſell* Mannor, *Apley*-Houſe, *High Orchall, Carew*-Caſtle, *Embleden*-Caſtle.	*Salop*	*Shrewsbury, Wem* and *Oſweſtree*.
Stafford	The ſtrong Garriſons of *Lichfield* and *Dudley*, and *Burton* upon *Trent*.	*Stafford*	The Garriſon of *Stafford*.
Cheſter	The City of *Weſtcheſter, Beeſton*-Caſtle, *Hawarden*-Caſtle.	*Cheſter*	*Nampwich* only.
Leiceſter	The Garriſon of *Aſhby-de-la-Zouch*.	*Leiceſter*	*Leiceſter* Town, ſhortly after taken by Storm.
Lincoln	*Belvoir*-Caſtle.	*Lincoln*	*Lincoln* City, *Trowland*-Garriſon, *Hougham*-Garriſon, *Burleigh*.

Nottingham

21 *Caroli.*

Nottingham	On this side of *Trent* the strong Garrison of *Newark*, *Shelford*-House, and *Wiverton.*	*Nottingham*	The Town and Castle of *Nottingham.*

The King had		The Parliament had	
In *Warwick*	All *North-Wales* and *South-Wales*, with all the strong Garisons of *Ragland*, *Monmouth*, *Chepstow*, *Flint*-Castle, *Holt*-Castle, *Denbigh*, *Aberistwith*, *Aberconway*, *Caermarthen*, *Carnarven* Town and Castle, *Harlatt*-Castle, *&c.*	*Warwick*	*Warwick*-Castle.
Northampton		*Northampton*	Intirely the Parliament's.
Wales		*Wales*	*Pembroke* Town and Castles in *South-Wales*, and *Montgomery* Castle in *North-Wales.*

The King's Field-Forces for the Midland-*Counties.*

THE Field-Forces which the King had for the securing of these *Midland*-Counties and Garrisons, *&c.* were,

1. The Royal Army, countenanced by the King's own Presence in it, commanded by Prince *Rupert* and Prince *Maurice*, which was that Army which fought his Excellency Sir *Thomas Fairfax* his Army at *Naseby*, the King in Person at that Fight.

2. Besides the King had a very considerable Force of Horse and Foot in *Wales*, under the Command of the Lord *Gerrard.*

3. And also a good Strength of Horse under Col. *Devilleer*, Sir *William Vaughan* and others.

4. And likewise had strong Parties of Horse, attending the Garrisons of *Chester*, *Ludlow*, *Bridge-North*, *Lichfield*, *Worcester*, *Dudley*, *Newark*, and *Hereford*, which upon any Design met together, and were a formidable Force.

The Parliament's Field-Forces for the Midland-*Counties.*

THE Parliament had to Ballance this Royal Army in the *Midland*-Parts, the New Model, far short of its intended Number of 21000 under the Command of his Excellency Sir *Thomas Fairfax* (part whereof were, as soon as they marched into the Field, sent to *Taunton*) the only Inland Garrison the Parliament had in the West of *England*, to raise the Siege there, and relieve that Place, that otherwise had been lost) which was no sooner done, but *Goring*, *Hopton*, and *Greenvile*, joyn all their Forces together, made a great Army, and Besieged the Town again, and therein that Brigade that relieved it, distressing them much for Forage and Provisions. The rest of the Army, after the relief of *Taunton*, were allotted to his Excellency to Guard the Parliament, City and Association, and therewith to attend the Motions of the Royal Army; and our Besieged Friends and Brigade in *Taunton* must not be neglected neither. There were some other Forces belonging to Garrisons, which upon Occasion might be assisting to the Parliament, *viz.* those under Major General *Langhorne* in *South-Wales*, Sir *Thomas Middleton* in *North-Wales*, those under Major General *Mitton* in *Shropshire*, Sir *William Brereton* in *Cheshire*, the *Staffordshire*, *Warwickshire*, and *Northamptonshire* Horse, and the Horse

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Horse of this Army under Col. *Rossiter* in *Lincolnshire*, Sir *John Gell* in *Derbyshire*, and Col. *Norton* in *Hampshire.*

Beyond *TRENT.*

THE Battel at *Marston-Moor* divided those Parts for the Parliament; yet there remained of Garrisons, belonging to the King unreduced, *Skipton*-Castle, *Pontfract*-Castle, *Scarborough*-Castle, *Sandal* and *Bolton*-Castles in *Yorkshire*, (before all which Places some of the Forces raised under the Lord *Fairfax* were *Engaged*) besides *Latham*-House, *Greenhaugh*-Castle in *Lancashire*, besieged by the *Lancashire* Forces, and *Carlisle* in *Cumberland*, besieged by the *Scotish* Forces; and in case *The King had attempted a Conjunction with* Montross, the *Scotish* Army being far North, was in a convenient Post to interrupt that or any such like Design.

CHAP.

Chap. II.

Actions between his Majesty's Forces and the Parliament's New Modell'd Army from the Beginning of the Year 1645, until after the Battle at Naseby, June 14*th.*

THE first Action enter'd upon by any of the Forces of this New-modell'd Army was on the 24*th* of *April* at *Islip-Bridge* in *Oxfordshire*; the Occasion and Manner thus.

The first Action of the New Model.

Whilst the Parliament's Army lay Quarter'd about *Windsor*, waiting for their Train of Artillery, and fitting themselves to take the Field, Prince *Rupert* with a considerable Force reputed 6000 Horse and Foot, lay about *Worcester*, and the Frontiers of *Wales*, and sometimes made Incursions into the Neighbouring Parts, and seemed to endeavour Northward; to attend whose Motions, or fall upon their Rear if there were Opportunity, Col. *Massey* advanced from his Government at *Glocester* with 400 Horse and 500 Foot to *Lidbury*; which Prince *Rupert* having notice of, resolved if he could to surprize and cut him off, and therefore marching all Night on *Monday April* 21*st*, came early on the 22*d* in the Morning within half a Mile of *Lidbury*, before any Discovery was made to *Massey*, who instantly caused his Horse to Mount, and drew up the Foot as well as he could; the Prince and the Lord *Loughborough* Charged into the Town several ways with great Fury, and *Massey* fearing to be hemm'd in, order'd his Foot to march away through the Enclosures with all the Speed they could, and he himself with the Field-Officers and some Horse entertain'd the Prince, and secured the Retreat as well as he could for three or four Miles, yet at one place some of the Prince's Horse forced their way and fell into the Rear of *Massey*'s Foot, and took near 200 Prisoners in the whole Action, amongst whom were two Captains, and Serjeant Major *Bacchus*, who died soon after of his Wounds: On the other side the Prince lost some Commanders, and many common Soldiers, and was disappointed of his main End, which was utterly to have ruined *Massey*, and therefore not thinking it fit to advance Northward, retired back between *Worcester* and *Hereford*, and vigorously endeavour'd to supply his Army with large Recruits out of those Parts. But his Majesty in Person, with most of the Train, and a considerable Party of Foot being then in *Oxford*, a Convoy of Horse reputed about 2000, was ordered from *Worcester* and those Parts to fetch them off from *Oxford*, that being joyned they might take the Field together. Upon Advertisement whereof the Committee of both Kingdoms at *Westminster* (from whom the Parliament's Army was generally to receive its Orders) wrote to their General Sir *Tho. Fairfax*, immediately to dispatch some Horse beyond *Oxford*, to lie on the further side thereof towards *Worcester* to intercept that Convoy, and hinder the King and his Train from passing out to meet them; and the Charge of this Service they in their Letter particularly recommended to Lieutenant General *Cromwell*, who was come but the Night before from *Salisbury* or those Parts to *Windsor*, to take his Leave of the General, as seeming now to be as good as discharged of all *Military Imployment* by the New Ordinance,

Prince *Rupert* falls upon *Massey* at *Lidbury*.

An. 1645. nance, which was to take Effect within few Days; but receiving these Commands, and a Party of Horse and Dragoons being by the General ordered to March under his Command into *Oxfordshire*, near *Islip-Bridge*, he met with a Brigade of the King's Horse, consisting of the Queen's, the Earl of *Northampton*, the Lord *Wilmot*'s, and Col. *Palmer*'s Regiments, who Engaged him, but in conclusion the *Royalists* were worsted, and in the Pursuit many slain, and about 200 taken Prisoners, whereof several were Officers; also her Majesty's Standard, being a Crown in the midst, incircled with divers *Flower-de-luces* wrought in Gold, with a Golden Cross on the Top, was here taken. Some of these scatter'd Troops making their way to Sir *Tho. Coggins*'s House at *Blechington*, where Colonel *Windebank* (Secretary *Windebank*'s Son) kept a Garrison for the King with about 200 Horse and Foot therein; *Cromwell* came up and faced that House with Horse and Dragoons, and Summoned the Governour with a sharp Message, (*Cromwell*'s Troops crying out for the Foot to advance and fall on, as if there had been a Body of Foot in readiness, whereas in truth there was none) and an Answer being required to be instantly given, or else the utmost Severity to be expected, the Governour being surprized, and having no Intelligence of, or else doubting Relief from *Oxford* in time, submitted to a Parley, and consented to Surrender the House upon the following Articles.

Cromwell routs a Brigade of the King's Horse at Islip-Bridge April 24.

Articles of Agreement upon the Surrender of Blechington-*House between Lieutenant General* Cromwell *and Colonel* Windebank, April 24. Anno 1645.

*Articles for Surrender of Blechington-*House, *April* 24.

1. It is agreed that all Commission-Officers of Horse of the Garrison, shall march away with their Horse, Swords and Pistols.

2. That the Colonel of the Garrison and the Major march away with their Horse, Sword and Pistols, and the Captains of the Foot with Horse and Swords only.

3. That all Soldiers in the Garrison march away, leaving their Arms, Colours and Drums behind them; and for such Officers of Horse as retreated thither for Safety, to march away with their Swords.

4. That Mr. *Hutchinson*, Mr. *Ernly*, Mr. *Eddes* and Mr. *Pitts*, being Gentlemen that came to visit the Governour, and not Engaged, shall march away with their Horses, Swords and Pistols.

5. That all the other Arms and Ammunition shall be delivered up immediately to Lieutenant General *Cromwell*, without Imbezilling, except as above-mention'd.

6. That safe Conduct be granted by the Lieutenant General for all above-mention'd to *Oxford*.

7. That the Colonel's Wife, her two Servants and Chaplain, with their Horses, march along with the Colonel.

8. That the Lady of the House shall enjoy her Goods without Plunder, and all her Family.

There were taken in this House between two and three hundred Musquets, seventy Horses, and some other Arms and Ammunition, which *Cromwell* sent away to *Ailsbury*, and not having Foot with him to Garrison the House quitted it.

But

But his Majesty highly resented the Surrender of this Garrison so near *Oxford* in this Manner, and Col. *Windebank* was for the same called before a Council of War, and Condemned, and tho' by the Interest of his Father and Friends great Applications were made for saving his Life, he was shot to death, and his Brother a Lieutenant Colonel laid down his Commission.

21 *Caroli.*

Windebank Governour of *Blechington*-House shot to Death.

Cromwell marching from *Blechington* towards *Witney*, having notice *April* 26. of a Party of the King's Horse that had a few Hours before crossed his way, sent Col. *John Fiennes* after them, who overtook them, and after a brisk Skirmish took from them above one hundred Horses, some Colours, and about forty Prisoners, and the next Day understanding that a Party of about 350 Foot, were marching under Command of Col. Sir *William Vaughan*, (a Member of the House of Commons) towards *Radcot*-Bridge, *Cromwell* with a silent March, beat up their Quarters at *Brampton*-Bush, and took the said Sir *William* the Commander in Chief, and Lieutenant Colonel *Littleton*, Serjeant Major *Lee*, five Captains, a Doctor of Divinity that was Sir *William Vaughan*'s Chaplain, and about two hundred common Soldiers Prisoners, whom he sent with a Convoy to *Abington*.

Another Skirmish near *Witney*.

Cromwell beats up Quarters at *Brampton*-Bush.

By this time the Parliament's General Sir *Thomas Fairfax* was got ready to march with his Army. And on *Monday*, *April* 28. the Commons pass'd this Order:

IT is this day Ordered by the Commons Assembled in Parliament, That the Ministers be desired at the next day of Publick Humiliation, [*Which was the next day*] to Recommend the Army under Sir *Thomas Fairfax* his Command to the Protection of the Almighty, and earnestly to seek to Him for a Blessing upon their Endeavours, and for his Merciful Assistance to them, they being now upon their March. And that this Order be sent to the Lord-Mayor of the City of *London*, with desire to him to take care for the speedy publishing thereof in all Churches and Chappels in the City of *London*, and within the Lines of Communication.

Order for Prayers for *Fairfax*'s Army, April 28.

But before this Army set forth, it was debated in the two Houses, whither they should first bend their March? Some were for Beleaguering *Oxford* as being the King's Head-Quarter, a Midland Garrison of great Importance in the Heart of the Kingdom, and wherein was at present the King's Train of Artillery. But others represented an Expedition into the *West* was more advantageous or necessary, especially because there the Parliament's Garrison of *Taunton* which had long been besieged by Sir *Richard Greenvile*, and others, with considerable Forces, and had stoutly defended themselves, and was the only Inland Garrison which the Parliament had in all the West of *England*, was now reduced to great Extremity, and without speedy Relief must inevitably be lost: And this latter Advice prevailed, the rather for that Col. *Popham*'s House a near Garrison at *Wellington* was lately taken, about fifty put to the Sword, and 150 made Prisoners. And an Order pass'd *April* 28. for their marching thither accordingly.

Fairfax to relieve *Taunton.*

And that the Army might be compleated, a Proclamation was made *April* 29. by Beat of Drum, and Sound of Trumpet, throughout *London*, according to an Order of this Tenour.

IT is this Day Ordered by the Commons Assembled in Parliament, That upon publick Notice given by Beat of Drum, and Sound of Trumpet, all Officers and Soldiers whatsoever under the Command of

Proclamation for all Soldiers to repair to their Colours.

An. 1645.

Sir *Tho. Fairfax*, all Excuses laid aside, and notwithstanding any Leave or Pretences whatsoever, do repair to their Colours by *Wednesday* the 30*th* Instant at Noon at the furthest, upon pain of Casheering for the Officers, and the common Soldiers death without Mercy. And that the Committee for the Militia of *London*, and Lines of Communication, and the Committees, and Deputy-Lieutenants of the Counties of *Middlesex*, *Hartford*, *Essex*, *Kent* and *Surry*, do take care for the publishing of this Order by beat of Drum, and Sound of Trumpet.

He thence marched over the River to *Farrington*, hoping to have reduced that Place where a Garrison was kept for the King by Lieut. Col. *Burges*, (as Deputy-Governour under Col. *Owen*) but wanting Foot for that Service, sent to Maj. Gen. *Brown* at *Abington*, who dispatch'd thither about five or six hundred, whilst in the mean time *Cromwell* sent in this Summons.

Summons to *Farrington*.

SIR,

I Summon you to deliver into my Hands the House wherein you are, and your Ammunition, with all things else there, together with your Persons to be disposed of as the Parliament shall appoint: Which if you refuse to do, you are to expect the utmost Extremity of War, I rest

April 29*th*, 1645.
To the Governour of the Garrison in *Farrington*.

Your Servant,

Oliver Cromwell.

To which Answer was return'd,

Answer.

That the King had intrusted them to keep that Garrison, and without special Order from his Majesty Himself, they would not deliver it.

Cromwell then drew unto the Town of *Farrington*, and sent this second Summons.

Second Summons.

SIR,

I Understand by forty or fifty poor Men whom you forced into your House, that you have many there whom you cannot Arm, and who are not serviceable to you: If these Men should perish by your means it were great Inhumanity surely. Honour and Honesty requires this, that tho' you be prodigal of your own Lives, yet not to be so of theirs. If God give you into my Hands, I will not spare a Man of you, if you put me to a Storm.

Oliver Cromwell.

But the Deputy-Governour return'd this resolute Answer:

Answer.

SIR,

WE have forced none into our Garrison: We would have you know you are not now at *Blechington*. The guiltless Blood that shall be spilt God will require at your Hands that have caused this Unnatural War. We fear not your Storming, nor will have any more Parlies.

Your Servant,

Roger Burges.

Cromwell repulsed.

About Three of the Clock next Morning (the *Abington* Foot being come up) *Cromwell* (with them and his Dragoons) began to assault, but were repuls'd with the loss of fourteen Men kill'd, and Capt. *Canon* (who rear'd the first Scaling-Ladder and ascended himself)

ſelf) taken Priſoner, with an Enſign, and eight common Soldiers, and divers Wounded. 21 *Caroli.*

On *Wedneſday* the 30th of *April*, *Fairfax*'s Army marched from *Windſor* (hitherto his Head-Quarters) to *Reading*, (twelve Miles;) from thence on *May-day* to *Theale*, (four Miles;) and on *May* the ſecond to *Newbury*, (eleven Miles;) whither *Cromwell* went to wait upon the General. And that Night ſome Parties of Horſe being ſent out towards *Hungerford* and *Marlborough*, whereabouts General *Goring* was with a great Body of Horſe and Dragoons coming out of the *Weſt*, they took one Lieut. Col. *Hacket*, and ſome other Priſoners. By whoſe Examinations and other Intelligence, they diſcovered that General *Goring* had a deſign that Night or next Morning early to beat up *Cromwell*'s Quarters, whoſe Troops continued ſtill near *Farringdon*; whereupon *Cromwell* immediately haſten'd back to his Charge, and had betimes put his Men into a Poſture to receive them; yet not ſo ſoon but that General *Goring* with a ſpeedy March came upon the Weſt of *Farringdon*, and recovered *Radcot*-Bridge. *Cromwell* ſent a Party of Horſe over the River to obſerve their Motions, whom the Earl of *Brainford*'s Regiment, (under the Command of Lieut. Col. *Scroop*) fell upon, and repulſed them, but they being then reinforced with greater Numbers from *Cromwell*, forced *Scroop* to retire, as alſo a ſmall Party of the Prince of *Wales*'s Regiment beat back by Major *Bethel*. To whoſe Relief the Lord *Goring* brought part of his Regiment, and of Col. *Richard Nevil*'s (commanded at that time by his Lieut. Col. *Standiſh*, Sir *Bernard Gaſcoign*, Capt. *Medcalf*, and other Officers (by whom the Parliamentarian Party was forced to Retreat, and Major *Bethel* (venturing too far (as was ſaid) in the dark) taken Priſoner, with two Colours of Horſe, and ſome common Soldiers; the Lord *Wentworth* in the Interim ſtopping the Paſs, and hindering *Cromwell*'s ſending over any more Forces, who yet (beſides thoſe before mentioned taken Priſoners) acknowledged not their loſs to be above four or five kill'd: However General *Goring* kept his Advantage of the River, and Quarter'd his Horſe as far back as *Lachlade*, whilſt *Cromwell* making a Paſſage over *New-Bridge*, and having gain'd the ſame, General *Goring* either declining an Engagement, or rather deſirous to prevent the Raiſing of the Siege at *Taunton*, (whither *Fairfax* was then advancing) marched back with all ſpeed after that Army into the Weſt.

Fairfax begins his March, *April*

Skirmiſh between the L. *Goring* and *Cromwell* at *Radcot*-Bridge, *May* the 3d.

From *Newbery Fairfax* marched *May* the fourth to *Andover*, (twelve Miles;) thence on the fifth to *Salisbury* (fifteen Miles;) But in the mean time had this Order ſent him from the Committee of both Kindoms.

SIR,

WE ſend you here encloſed, an Extract of the Intelligence we have of the Prince's Advance towards *Oxford*, and deſire you to *Halt* to Morrow about *Andover* with your Horſe and Foot, till you receive further Advertiſement from us, which ſhall be very ſpeedily.

Order to *Fairfax* to ſtop his March, *May* the 4th.

Signed in the Name and by the Warrant of the Committee of both Kingdoms.

Your very Loving Friends and Servants,

Derby-Houſe, *May* 4. 1645.

E. Mancheſter, *Loudoun.*

An. 1645.

The *Intelligence* herein mentioned to be *enclosed* was this Letter from the Committee at *Coventry*.

Intelligence from the Committee at *Coventry*.

May it please your Honours,

WE have this Morning received Intelligence, That the two Princes *Rupert* and *Maurice* this last Night came with all their Forces to *Evesholm*, and are directly on their March towards *Oxford*, and that they continue their March making no stay. This we thought our Duty to signify to you, Remaining

Coventry, *May* 2*d*, 5645. *Your Honours most Humble Servants,* John Barker, *cum aliis.*

But *Fairfax*, (intent upon Relieving *Taunton*) was march'd *May* the 5*th* to *Salisbury* (fifteen Miles;) thence on the 6*th* to *Sixepenny Hauley* in *Dorsetshire* (ten Miles;) and so on the 7*th* to *Blanford* (seven Miles.) In the mean time the Houses being more assured of the Advance of Prince *Rupert* towards *Oxford*, on the 6*th* of *May* pass'd an Ordinance, That Sir *Tho. Fairfax* should forthwith send only a Party of about 3000 Foot, and 1500 Horse and Dragoons to *Taunton*; and he and the rest of his Army march back to joyn *Cromwell* and *Brown*, and attend the King's Motions with their united Force.

A Party ordered to Relieve *Taunton*.

This Order *Fairfax* received at *Beauford*, and readily obey'd; and on *May* the 8*th* Commanded out a Brigade for the Relief of *Taunton*, consisting of four Regiments of Foot, *viz.* Col. *Welden*'s, Col. *Fortescue*'s, Col. *Floyd*'s, and Col. *Ingoldesby*'s, under the Conduct of Col. *Welden*, as being Eldest Colonel, unto whom six Companies of Foot, belonging to the Garrison of *Chichester*, joyned themselves about *Dorchester*, and afterwards as many Colours from *Lime*; in all between four and 5000 Foot, with a Body of 1800, or 2000 Horse, *viz.* Col. *Graves*'s Regiment, Col. *Cook*'s, Col. *Popham*'s, Col. *Fitz-James*'s, and the *Plimouth* Regiment.

Col. *Welden* Commands the Brigade for *Taunton*.

These marched directly on to *Taunton*, near which they arrived *May* the 11*th*, upon whose Approach the King's Forces before the Town raised their Siege, so that on *Monday* Morning *May* the 12*th*, Col. *Welden* with the Officers without any Opposition enter'd into it, (where they found a sad Spectacle of a flourishing Town almost ruined by Fire, and the Extremities of War, and the People nigh famished for want of Food,) and having spent some time with Col. *Blake* the Governour, they gave Order for the whole Brigade to Retreat back and take up their Quarters at *Chard*.

Taunton Relieved *May* the 12*th*.

The House of Commons upon receipt of the News of *Taunton*'s being Relieved, Ordered a Publick Thanksgiving for the same: And a Letter was sent to the Town of *Taunton*, and the Governour, and Soldiers therein, to give them the hearty Thanks of the Parliament, for this Extraordinary Gallant Service, in maintaining the Town so long: And likewise an Order was made for bestowing of 2000 *l.* upon the Soldiers of that Garrison, for their Courage in this Service; as also 500 *l.* to be given to Col. *Blake* the Governour.

That which much facilitated the raising this Siege was, that the King's Party had no other Information, but that *Fairfax*'s whole Army was advancing thither, altho' indeed it was but a Part, whereas if they had understood it to be only a Brigade, they had, in their Opinion

Opinion a Strength sufficient to have fought them, and also made good the Siege; and for this Misintelligence there was some Colour, for *Fairfax* with his whole Army did advance out of *Blanford* to *Wichampton*, as if he had altogether design'd for *Taunton*, but then suddenly parting with that commanded Brigade, wheeled about Eastward (marching through Inclosures, and avoiding the *Champion-way*, in regard he was not well furnish'd with *Cavalry* if he should meet with *Goring*'s Horse, who were now upon their Retreat from *Oxford* towards the West) and coming to *Ringwood*, *May* the 9*th*; thence on the 11*th* to *Rumsey* (fourteen Miles;) on the 12*th* to *Alresford* (fourteen Miles more;) on the 13*th* to *Whitechurch* (ten Miles;) on the 14*th* he reached *Newbury*, and there rested his Army three Days.

21 *Caroli.*

Fairfax's March.

During these Traverses of the Parliament's Forces Westward, and back again, the King on the 7*th* of *May* with his Army left *Oxford*, and took the Field, His Majesty with Prince *Rupert* and between seven and 8000 Horse and Foot marching towards *Warwickshire*, and designing for the Relief of *Chester*, which had long been besieged by Sir *William Brereton*; but General *Goring* with about 3000 Horse and Dragoons was dispatch'd into the *West*, that he, together with the rest of the King's Forces in those Parts, might strengthen that Party of *Fairfax*'s Army which were gone to the Relief of *Taunton*, which they effected accordingly, for that whole Brigade was shortly after coop'd up and besieged in the said Town of *Taunton*, which so lately they had relieved from a former Siege.

The King takes the Field, *May* the 7*th*.

His Majesty on the 15*th* of *May* came to *Hemley*, two Miles beyond *Sturbridge* in *Worcestershire*, and there and at *Droitwich* rested three or four Days, whilst Prince *Rupert* took in *Hawkesly* House (a small Garrison of the Parliament's, about seven or eight Miles,) which being surrendered was burnt. From *Hemley* his Majesty advanced to *Wolverhampton*, and from thence *May* the 17*th* to *Newport* in *Shropshire*; where by the way Sir *William Vaughan* Governour of *Shrawarden* Castle, (two Miles from *Shrewsbury*) coming towards *Bridgenorth* to meet his Majesty, fell upon some *Shrewsbury* Horse at *Wenlock*, and worsted them. From *Newport* his Majesty marched to *Draiton* (on the Borders of *Cheshire*) and by that time the Army came within twenty Miles of *Chester*, the Lord *Byron* with some Troops of Horse came from that City, and assured his Majesty of the raising of that Siege, and that Sir *William Brereton* was retreated into *Lancashire*: Whereupon his Majesty diverted his Course through *Staffordshire*, and quarter'd *May* the 26*th* at *Tutbury*, and to *Ashby-de-la-zouch* in *Leicestershire* on the 27*th*, and the 28*th* to *Loughborough* ten Miles thence, where having rested that Night, on the 29*th* of *May* his Majesty came before *Leicester*, which he took by Storm, as herein after is mentioned.

The K. takes *Hawksly*-House.

Sir *William Vaughan* routs a Party of the Parliament's Horse.

Siege of *Chester* raised.

The King's marches back.

For the Reader's better understanding the Military Transactions of this Juncture he must note, that upon *Fairfax*'s being recall'd, and return with the greater Part of his Army out of the *West*, the Houses considered whether he should be Imploy'd to sit down before *Oxford*, or follow the King, who seemed to bend Northwards: And the former was resolved upon; for which these Reasons were urged.

The State of the Parliaments Affairs and Councils at that time.

1. That the Parliament had already in the *North* a great Army under their Pay, of 21000 *Scots*, Horse and Foot.

2. That there were considerable Forces of theirs in *Cheshire* and *Lancashire*, under Sir *William Brereton*, which held *Chester* straitly Besieged.

3. That

An. 1645.

3. That in *Staffordshire*, *Derbyshire*, *Yorkshire*, *Nottinghamshire*, and *Lincolnshire*, there were also very considerable Forces, which might joyn with the *Scotish* Army if there were need, and were commanded so to do in case the King advanced Northwards. Besides a part of 2500 Horse and Dragoons under Col. *Vermuden*, part of *Fairfax*'s Army appointed to joyn with the *Scotish* Army, because they seemed only to want a due Proportion of Horse to Engage with the King's Army, and upon the Allotment of them to that Service, the Commissioners of *Scotland*, wrote to their General the Earl of *Leven* to advance; and the Committee of both Kingdoms ordered Col. *Vermuden* with his before-mention'd Party to march into *Derbyshire*, which accordingly he did, and came to the Rendezvous at the time appointed. This Provision was held sufficient, and more than enough, not only to secure and cover the Sieges of *Chester*, *Pontfract*, and *Scarborough*, (which were all then Besieged by the Parliament), in case the King should move Northwards, but also to fight the Royal Army with Advantage, if need so required. But on the other side, if his Majesty should tend Southward or Westward, *Fairfax* lying before *Oxford*, would be in the most convenient Post to Engage his Army, or obstruct his Designs. But all this *Fair Scheme* of promising Advantage, was interrupted, and took no Effect, for the *Scot*'s Army designed to attend the King's Motions, did not advance according to Expectation and Order; whether it were for want of Money, for which they complain'd, and much importun'd the Two Houses, or whether they were somewhat discontented, for that several Officers of their Nation were left out of Service upon this *New Model*, so it was, that instead of marching Southward, they returned back into *Westmorland*. Whereupon Sir *William Brereton* upon the Approach of the King's Army, seeing no Army ready at hand, nor hopes of any to Ballance it, Raised the Siege of *Westchester*, and so His Majesty seeing the Work done to his hand, marched back to *Leicester* and took it, there being no Army to check or controul him. *Cromwell* and *Brown*, who attended his Motions as far as *Warwick*, being recall'd to assist *Fairfax* at the Siege, or rather Blockade of *Oxford*.

The cause of *Fairfax*'s coming and sitting down there, will partly appear by the following Letters and Orders sent to him from the Committee of both Kingdoms.

Letter from the Committee of both Kingdoms to *Fairfax*, *May* the 10th.

SIR,

WE have received your Letter of the Ninth Instant, and thereby take notice of your marching back, according to our Order: Since those Letters of ours, we have notice that the King is marched to *Worcester*, and Lieut. Gen. *Cromwell* to the North of *Oxford*, attending his Motions. *Goring* with his Forces are gone back toward *Bristol*, he was about *Lachelade* on *Thursday* Morning, of which we desire you to give notice to the Party thar is gone into the *West*; and also that you cause the Regiments of Col. *Cook*, and Col. *Popham* to march with all expedition to Col. *Weldon*; as also *Plimouth* Regiment of Col. *Boscowen*, and Col. *Fitz-James*.

Signed in the Name and by the Warrant of the Committee of both Kingdoms, By

Derby-House, 10. *Maii*, 1645.

Your very affectionate Friends,

W. Say and *Seal.* *Loudoun.*

SIR,

SIR,

WE have received your Letter of the Tenth Instant, and thereby Intimation of your being at *Rumsey*, and your stay there for the next Day: And in Respect of *Goring's* Return to the *West*, and the Danger we apprehend the Party gone into the *West*, may be in hereby: We desire you to stay where these Letters shall find you, if there shall be no Inconvenience therein appear to you being upon the Place, until we shall send further Orders, which shall be with all Speed. Another *May* the 12*th.*

Signed in the Name and by the Warrant of the Committee of both Kingdoms,
By

Derby-House, 12. *May*, 1645. Your Affectionate Friends and Servants.

W. Say and *Seal.* *Loudoun.*

SIR,

UNderstanding by your Letter of the Twelfth of this Month, that your Forces are come so far this way, and have been put to hard Marches for many Days: We desire you to refresh your Army for two or three Days, where this Letter shall find you, or in some commodious Place thereabouts: Unless you have certain Intelligence that *Taunton*, or the Party sent thither be in Distress. Another *May* the 14*th.*

Signed in the Name and by the Warrant of the Committee of both Kingdoms,
By

Derby-House, 14*th* of *May*, 1645. Your very Affectionate Friends and Servants,

W. Say and *Seal.* *Johnston.*

SIR,

WE have received the welcome News of the Relief of *Taunton* by the Forces sent from your Army, whereby those poor People, designed to Slaughter by their cruel Enemies, are delivered: We bless God for giving such Success to so weak a Party: And that the Work was done without Loss. And we return Thanks to you for the great Service you have done herein, and your speedy Marches, and careful Dispatch of that Party you sent, which came so seasonably to the Relief of that Place: And we hope this happy beginning hath made such Alteration in the Affairs of the *West*, as if it be followed with Effect (of which we doubt not) will hinder the raising of the great Forces they promised themselves there, will incourage and preserve the People that do adhere to the Parliament, and lay a good Foundation to the Reducement of the whole *West*: To which we doubt not but they will now contribute their own best Assistance, being delivered of the *Bridle* that kept them in awe: And having had a sad Experience of the Cruelties of the Enemies, and taught thereby more clearly to know their own, and the Publick Interest, and to pursue and serve it. Another *May* the 15*th.*

Signed in the Name and by the Warrant of the Committee of both Kingdoms,
By

Derby-House, 15*th* of *May*, 1645. Your Affectionate Friends and Servants,

W. Say and *Seal.* *Loudoun.*

SIR,

An. 1645.

Another the same Day.

S I R,

WE have appointed a Party of Two thousand Horse, and five hundred Dragoons to march to the *North*, for the Assistance of the *Scotish* Army, to be made up of the Regiments of Col. *Sidney*, Col. *Vermuden*, Sir *Robert Pye*, and Col. *Fiennes*; and in case they shall not make up 2000, then to fill that Number up with such of the Troops now under the Command of Major *Sadasky* as are fullest: That these and 500 Dragoons all under the Command of Col. *Vermuden* shall march towards the *Scotish* Army, in case the King's Army shall march Northward. The rest of the Forces that are left with Lieut. Gen. *Cromwell* are appointed to march back towards *Blechington* to put a Garrison into that House, and dispose the Forces in the best way that may be for the streightening of *Oxford*, which we have design'd to be Blocked up forthwith, in order to a Siege, with those Forces that are at present with you, and with Lieut. Gen. *Cromwell*, and with all the Recruits that are to come up, and such other Forces both of the Garrisons and other Counties as we shall send thither for that Purpose.

We have designed this as the main, *Abington* to be preserved; with the rest of its Forces not already elsewhere appointed, unless there shall any special Exigency require them to be otherwise imployed: We desire you therefore so to dispose of your March as may be of most Advantage to the Design of Blocking up and Besieging of *Oxford*. We desire you to consider what is necessary for such a Work, and to advise us thereof.

Signed in the Name and by the Warrant of the Committee of both Kingdoms,
By

Derby-House, 15*th* of *May*, 1645.

Your Affectionate Friends and Humble Servants,

W. Say and *Seal.* *Loudoun.*

May the 16*th*, Certain Instructions, Rules and Directions to be observed and put in Execution by Col. *Martin Pindar*, *Harcourt*, *Leighton*, *Tho. Herbert*, and Capt. *John Potter*, Esquires, Commissioners of Parliament, appointed to reside in the Army, were read in the House of Peers, and after some Debate their Lordships concurred with the House of Commons therein, the said Instructions being to this Effect:

Rules to be observed by the Commissioners residing in the Army.

1. That for the Prevention of *False Musters*, they are to see that the Advocate of the Army administer an Oath to such Persons attending upon Musters, as shall be presented unto him for the discovery of false Musters, or accusing any Person that shall violate the Articles of War in case of Plunder, or otherwise.

2. For the Ease of the Country, the said Commissioners are to endeavour that no Officer or Soldier be Quarter'd in any Place but by the Quarter-master, first shewing his Commission, if it be required, and by what Authority he takes up such Quarters; and giving a Ticket of the Names of every Person which he shall quarter, expressing of what Regiment, Troop, or Company the same Person so Quarter'd is; and the Number of Horses there Quarter'd, and at whose House; together with the Day of the Month, and to subscribe his Name thereunto: Saving where by reason of the great Numbers of them cannot be incerted, and then their Numbers to be expressed in place of their Names.

3. That no Quarter or Provisions for Man or Horse in any Quarters be taken without Payment of ready Money; but in case of Necessity for want of Pay; which the Parliament will use all means possible

possible to prevent. And in case any Quarter or Provision shall be taken without payment, the Captain or Quarter-Master shall by writing under their or one of their hands, certifie what Provisions have been so had, within what time, by whom, and of what Regiment, Troop and Company, from whom and the value thereof; Provided, that where the Army shall be upon their March, not staying above twenty-four Hours in a place, the Rates shall be Four-pence a Night for Hey, Three-pence a Night for Grass, Four-pence a Peck for Oats, Six-pence a Peck for Pease and Beans, and Seven-pence a Peck for Barly and Malt, (which Provision of Barly and Malt is not to be taken but where no other Grain for Horse-meat is to be had,) Eight-pence a day is to be paid for the Diet of every Trooper or Horse-man, Seven-pence a day for every Dragooner, and Six-pence a day for every Foot-Soldier, Pioneer, Waggoner, or Carter, that shall not be Officers by Commission, or of the Life-Guard Troop. Provided also, that no Inhabitant whatsoever shall be compelled to furnish any Provision but what he hath in his House of his own: And that no Officer or Soldier shall compell him to do otherwise, upon pain of Cashiering, or such other punishment as the Commander in Chief shall think fit. — 21 *Caroli.*

SIR,

WE wrote unto you the Fifteenth Instant, giving you notice of our Intention for the present Blocking up and future Siege of *Oxford*, by the enclosed Copy of the Order of both Houses; you see it is now their Resolution, who have written to the Committees about it; we therefore desire you forthwith to send such of your Horse as you can spare, leaving sufficient to bring up your Foot, to prevent the carrying of any Provisions in that Town; we have written also to that purpose to Lieut. General *Cromwell* and Major General *Brown*. We desire this may be speedily done, and withal to send us word what Provisions you thing necessary for that Siege, that there may be a speedy Provision thereof. In regard this design is now publick, we desire you to make all speed to send in some Horse to hinder the carrying in of Provision to *Oxford*, and the Burning and Spoiling of the Country. — A Letter to *Fairfax* about laying Siege to *Oxford*, *May* 17.

Derby-House, 17*th* of *May*, 1645.

Signed in the Name and by the Warrant of the Committee of both Kingdoms,
By
Your affectionate Friends and Servants,

W. Say and Seal *Johnstone.*

Die Sabbatis 17. *May* 1545.

It was Voted, declared, and agreed, That the Lords and Commons do approve of the design for the speedy reducement of *Oxford*. — The Houses Order the Siege of *Oxford*.

Ordered by the Lords and Commons assembled in Parliament, That the City at a Common Council be made acquainted with this design, by some Members of both Houses on *Tuesday* next at Three of the Clock in the Afternoon, and the Reasons of this design urged, and their concurrent Assistance desired.

Accordingly *Fairfax* on the 17*th* of *May* advanced from *Newbury* to *Blewbury* (ten miles;) and there lay two Nights; on the 19*th* to *Newnam* in *Oxfordshire* (nine miles;) the next day two miles further to *Garsington*, and on the 22*d* to *Marston*, and began to Beleaguer *Oxford*. Capt. *Gardiner* with a Party of Horse and Foot Charg'd a Party of *Fairfax*'s Horse, Commanded by Adjut. Gen. *Fleming*, but was — *Fairfax* approaches *Oxford*, *May* 22.

An. 1645. was repulsed, and near two hundred of his Foot taken Prisoners. *Fairfax* caused a Breast-work to be raised on the East-side of *Charwell*, and a Bridge over the River near *Marston*: *Cromwell* and *Brown* being come up, and having taken up their Quarters on that side, between whom and *Fairfax*'s Forces there was by this Bridge a Communication, and the City strictly Beleaguer'd on all sides. And *Fairfax* having called a Council of War to debate what Requisites would be wanting for carrying on a close Siege, what Provision they concluded to be necessary, they gave notice to the Parliament to be sent them down, but the same arrived not till the day before he received Orders to Rise from thence, so that little or no Action happen'd in all the fifteen days he lay before it. For *Fairfax* (as he acquainted the Close Committee) not conceiving himself secure, not sufficient for such an Undertaking, whilst the King was in the Field without any Army of the Parliament's to attend his Motions, declined so much as to Summon the Town, that so, if there were occasion he might draw off with the less Dishonour.

May 23. The King's Garrison at *Godstow* near *Wolvercot* had Order to desert it, and the Houses there were by the Owners ordered to be set on fire; but by the coming in of some of *Fairfax*'s Troops, the same were preserv'd, and the Governour in his Retreat towards *Oxford* taken Prisoner. *May* 24. *Fairfax* viewed *Bostol*-House, and sent a Party to Besiege it, where Adjutant General *Flemming*, being engaged in a single Encounter, shot his Enemy, but also received a shot himself in the Belly, which was thought mortal, but he afterwards recovered. *May* 26. Sir *Thomas* put over four Regiments, and thirteen Carriages at the New Bridge over *Charwell*; His Head-Quarter was at *Marston*, *Cromwell*'s at *Whiteham*, and *Brown*'s at *Wolvercot*.

On the 28*th* of *May* the Committee of both Kingdoms sent the following Letter to their General.

S I R,

A Letter to *Fairfax*, *May* 28*th*.

UPon the 25*th* of this Instant, the King's Army returned to *Tutbury*, and upon *Monday* the 26*th* was about *Ashby* intending in probability for the Association; upon which Intelligence, we have again written to L. Gen. *Cromwell* to repair speedily to the Isle of *Ely*, and to to take with him four Troops of Horse, and we desire you to give Order accordingly. We have also written to the Committee of *Cambridge* to look to the security of their Garrisons, and to send their Forces to Rendezvous as L. Gen. *Cromwell* shall appoint. We have written to Col. *Vermuden* (unless the King march Northward) to come back towards the Association with all diligence, and to joyn with such other Forces, as we have appointed, for the defence thereof, and to obey such further directions as he shall receive from this Committee, or from you. We have also written to Col. *Massie* to come to *Burford*, with what Force he can, having regard to the security of his Garrisons, and those Parts, and holding Intelligence with you to joyn as there shall be occasion. We desire you without interrupting your Proceedings for the present about *Oxford* to have your Forces in such posture as they may be ready to march for opposing the Enemy, and the security of the Association, if there shall be need.

Derby-House, *May* the 28*th*, 1645.

Signed in the Name, and by the Warrant of the Committee of both Kingdoms, by

Your very Affectionate Friends and Servants,

P. Wharton. Johnstone.

His

His Majesty marching back, as you have heard, thro' *Staffordshire*, came up to *Leicester May* 29. His Highness Prince *Rupert* betimes in the Morning facing the Town with Horse, view'd it every way, and suddenly girt it round: In the Afternoon his Majesty's whole Army came up and sat down before it, and his Highness sent in a Summons, requiring them to deliver up the Town for his Majesty, who was there in Person: To which towards Evening they returned a Denial, and Superscribed thus, *To the Commander in Chief of the King's Army.* Orders having been given to raise a Battery before the New-Work, the same by Eleven a Clock next day was finish'd, and Six great Pieces of Ordnance planted thereon, and played fiercely all that Afternoon, making a Breach by Seven a Clock in the New-Work Wall so wide, that Ten Men might enter a-breast. About Ten a Clock his Highness commanded his Soldiers to draw near the Works, and upon the Signal given (which was to be the Firing of those Six Pieces of Cannon all at once) to fall on. They storm'd the Town in five several Places at once, but the fiercest Assault and most desperate Service was at the before-mentioned Breach in the New-Work Wall, where they came to Push of Pike, and Col. *St. George* of the King's side, in a Gallantry came up almost to the mouth of a Canon, and was by it shot to pieces, and Col. *George Lisle* who led on the Assailants there, was twice forced back, and he himself knock'd down into the Ditch, yet they went on the third time, and then forced their Entrance at that Breach, tho' the Town at other Places was as good as lost before; for the first that entred were Sir *Bernard Asteley*; and at another Place Sir *Henry Bard* who scaled the Works only with three Ladders; then his Highness Prince *Rupert*'s Regiment got in, and the Ports were flung open, and the Horse let in, and the Town master'd, tho' those within it made a very stout Defence, of whom there was in all about one hundred kill'd, and near as many acknowledged by the King's Party to be slain on their side. Whereas the Writers on the Parliament's Party, make the Loss of the Royalists to be much greater, and that there were buried of them in *Leicester* 709 as had been computed by the Burials there. 'Tis certain his Majesty's Army here got abundance of excellent Plunder and Pillage; for besides the Goods and Wares of the Townsmen, those that adher'd to the Parliament round about in the Country, had sent in thither their best Moveables as to a Place of Security. They also took there about 1500 Prisoners, Fourteen Pieces of Ordnance, 500 Horse in Service, with as many more good Horses brought in thither as made them up 1000, 140 Barrels of Powder, with Bullet and Match proportionable. And in Money, Plate, and other rich Commodities, to the value of many thousands of Pounds. The next day being *Sunday*, the King commanded solemn Thanks to be given to God for his success in taking that Town, and stay'd there to refresh his Army two or three days.

21 *Caroli.*

The King takes *Leicester* by Storm, *May* the 30*th*.

This Loss of *Leicester* startled the Two Houses, and the rather because at the same time by a conjunction of the Forces of Col. *Goring*, Sir *Ralph Hopton*, and Sir *Richard Greenvile*, their Brigade under *Welden* in the *West*, was besieged in *Taunton*; and therefore they now began to think more earnestly of Raising their Army from *Oxford*, to prevent if they could his Majesty from marching into the Associated Counties. But in the mean time *Cromwell* with but four Troops of Horse, being gone into the Isle of *Ely*, and *Brown* sent

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Fairfax takes *Gaunt-House*, *June* 1.

up to *London* to give advice how matters stood at *Oxford*, and receive Orders what was next to be done. *Fairfax May* the 31*st* sent Col. *Rainsborough* with a party of Foot and some Horse to besiege *Gaunt-House*, who summon'd it, and next Day *June* the 1*st* had it surrender'd, and a Garrison placed therein for the Parliament.

A Sally out of *Oxford*, and near 100 of *Fairfax*'s Men taken, *July* 2.

On *Monday July* the 2*d*, The Governour of *Oxford* about one of the Clock in the Morning marching himself with near 1000 Horse and Foot towards *Hedington*-Hill (a mile from *Oxford*) where there was a Guard kept by the Besiegers; and sending Col. *Walter*, Sir *Thomas Gardiner*, and Cap. *Grace* towards *Bullington-Green*, to fetch a compass and fall in upon them behind; the whole Guard at that place was surprized, some kill'd, and fourscore and twelve carried away Prisoners into *Oxford*, whereof one was Capt. *Gibbons*; but the next day they were released in Exchange for as many of those who had been taken in the Skirmish between Adjutant General *Fleming* and Capt. *Gardiner* before-mention'd.

Fairfax marches away from before *Oxford*, *June* the 5*th*.

July the 4*th*, *Fairfax* receiv'd positive Orders to march from *Oxford*, to defend the *Association*; who forthwith ordered the Forces on the other side of the River to march to *Islip*, and pull'd down the New-built Bridge, and the next day *June* the 5*th*, the Army march'd to *Marsh-Gibeon*, ten miles, and in his march turned out of his way to see the Siege before *Borstal*-House, where Major General *Skippon* had lain for some time; and sent the following Summons.

To Sir William Campian *Governour of* Borstal.

Summons to *Borstal*-House.

SIR,

I Send you this Summons before I proceed to further Extremities, to deliver up to me the House of *Borstal* you now hold, with all the Ordnance, Arms and Ammunition therein, for the use and service of the Kingdom, which if you shall agree unto, you may expect Civilities and fair Respects, otherwise you may draw upon your self those Inconveniences which I desire may be prevented. I expect your Answer by this Trumpet within one hour. I rest,

Your Servant,
Tho. Fairfax.

To which was return'd this Answer:

The Answer.

SIR,

YOU have sent unto me a Summons to surrender this House, for the Service of the Kingdom; I thought that Bait had been long e'er this very stale, (considering the King's often Declarations and Protestations to the contrary) now sufficient only to cozen Women and poor ignorant People: For your Civilities as far as they are consonant to my Honour I embrace; in this place I absolutely apprehend them destructive not only to my Honour, but also to my Conscience: I am therefore ready to undergo all Inconveniences rather than to submit to any, much less to those so dishonourable and unworthy Propositions: This is the Resolution of,

Sir, your Servant,
W. Campian.

The Siege of *Borstal*-House quitted.

That Night *Skippon* caused the House to be stormed, but the Moat being much deeper than they expected, the Assailants were beat off with Loss, and so the next day raised that Siege also, and march'd after the Army, whose Head-Quarter was that Night at Great

Great Brickhill, where a Fire happen'd in the General's Quarters, and a Man, a Boy, and three or four Horses burnt.

The King marched from *Leicester* towards *Daventry*, with intention as was supposed to relieve *Oxford*, but finding that done to his hand, on the *6th* of *June* Part of his Army faced *Northampton*.

In the mean time the Associated Counties, and the Parliament's Garrisons therein, were under great apprehensions of dangers; and Letters were posted from all Parts to General *Fairfax* to hasten him to their Assistance, some of which I shall insert from the Originals now in my Custody.

A Letter from Lieut. Gen. *Cromwell*, *June* 4. 1645.

SIR,

I Most humbly beseech you to pardon my long Silence: I am conscious of the fault, considering the great Obligations lying upon me. But since my coming into these Parts I have been busied to secure that Part of the Isle of *Ely*, where I conceived most danger to be. Truly, I found it in a very ill Posture, and is it yet but weak without Works, Ammunition or Men, considerable, and of Money least; and then I hope you will easily conceive of the defence; and God has preserv'd us all this while to a Miracle. The Party under *Vermuyden* waits the King's Army, and is about *Deeping*, has a command to joyn with Sir *John Gell* if he commands him, so the *Nottingham*-Horse. I shall be bold to present you with Intelligence as it comes to me: We heard you were marching towards us, which was matter of rejoycing to us. I am bold to present this as my humble suit, That you would be pleased to make Captain *Rawlins* this Bearer, a Captain of Horse; he has been so before, was nominated to the Model, is a most honest Man: Col. *Sidney* leaving his Regiment, if it please you to bestow his Troop on him, I am confident he will serve you faithfully; so by God's Assistance, will

June 4. 1645. Your most Humble Servant,
Huntington. *Oliver Cromwell*.

The Committee at *Northampton*'s Letter.

SIR,

THIS Afternoon Sir *Robert Pye* is come hither from *Leicester* upon his Parole, and assures us, that the King and his whole Army is marched out of *Leicester* this day this way: We hear *Vermuyden* is at *Market-Deeping* on the Edge of this County about *Stamford*. We thought good to give you notice of it, Remaining

Northampt. June the *4th*, 1647. 7. Afternoon.

Your Humble Servants,
Edward Farmer, Vicec. Com.
Rowland St. John.
E. Attarby.
Richard Samwell.
Philip Folman.

Another.

SIR,

WE have at this Instant receiv'd certain Intelligence that the King's Army is advanced this way, and a great Party both of Horse and Foot come as far as *Harborough*, which is within twelve Miles of us; their design is thought to be for this Place; we doubt not but you will take us into your thoughts for a speedy Relief, and in the mean time we shall provide for them to the best of our strength. We Remain

Northampt. June *4th*, 1645. past 10. at Night.

Your Humble Servants.
Edward Farmer, Vicec. Com.
Rowland St. John, &c.

Gentlemen,

An. 1645.

From Sir *Sam. Luke*, Governour of ——

Gentlemen,

THE Enemy lying this Night at *Harborough*, and all Intelligence being they intend for this Town; how ill we are provided you cannot but know; our Horse and Men being commanded away, and we not Six hundred Foot left in the Town, I desire you as you tender either your own or our Good, to haste hither what Men you can, for we had need of Two thousand Men to Man these Works, they are so large, and at this time so Indefensible. This is all at present can be assured you from

June 5*th*, 1645.
5 a Clock in
the Morning.

Yours to serve you,
Sam. Luke

Another.

S I R,

THIS Messenger will assure you that his Majesty is at *Harborough*, and his March is intended either for *Northampton*, or this Place, as the Report goeth: Therefore I beseech you let the Foot belonging to this Garrison be sent home with all speed, and if you can spare us any more, they will be most acceptable, for we shall want above a Thousand Men to Man our Works in any reasonable manner. We want all Provisions, and if we escape a Storm, we cannot hold out long, therefore desire you to consider him who is

This 5*th* of *June*, 1645.
4 a Clock in the Morning.

Yours in all Serviceable
Respects Commandable
Sam. Luke.

I beseech you, *Sir*, let the General be acquainted with our Condition.

From the *Cambridge*-Committee.

Honourable Sir,

ALthough our danger was great in our Conceit, upon the first apprehension of the taking of *Leicester*, yet we were somewhat quieted in the Intelligence that you were Ordered to Advance between us and the Enemy as a Guard for the *Association*; but being informed that upon *Wednesday* you were in your former Quarters, and that the Enemy was in his way between *Harborough* and *Northampton* with his Carriages, we could not so far desert our own safety as not to sollicite earnestly your Honour's speed and care for our safety, on whom your Army much resteth for its Being and Subsistance, and we upon the safety of it. We had formerly sent to the Counties to raise their Horse and Dragoons to their Borders as nigh *Cambridge* as may be, and have now sent to quicken them. We present our selves

Cambridge, 6*th Junii*,
10 in the Forenoon.

Your Honour's
Humble Servants,

W. Spring.	*Hum. Wallcots.*
H. Mildmay.	*John Willesby.*
Francis Russell.	*William Brownlow.*
Nath. Bacon.	*Tho. Martyn.*
Tho. Ducket.	*William Heveningham.*
Jo. Bonner.	*Maurice Barrowe*
Abra. Burrell.	*John Gurdon.*
Ri. Harlakenden.	*Isaac Puller.*
Ti. Middleton.	*Robert Vintner.*
John Brewster.	*Robert Crane.*

May

21 *Caroli.*

May it please your Excellency,

From *Vermuyden.*

LAst Night upon Intelligence of the King's March towards *Nrothampton*, I came to *Oundle*, and am now marching to meet your Excellency, who I hear is about *Brackley*. The Lord send us a speedy Conjunction, a good Engagement with blessed Success. Which is the earnest Prayer of

June the *6th*. Seven in the Morning.

Your Excellency's most Obedient Faithful Servant,
Vermuyden.

Affairs standing in this posture, *Fairfax* on the *7th* of *June* marched from *Brickhill* to *Sherrinton* a Mile-East of *Newport-Pagnell*, that *Vermuyden* with that considerable Body of Horse formerly detached to joyn the *Scots*, but upon their Retreat to *Westmorland*, now marching back as you have heard, might more conveniently joyn him, and especially to be on that side the River the better to serve the *Association*. There they rested the next day, being *Sunday*, but sent out several Parties of Horse, who brought in Prisoners some Stragglers of Sir *Marmaduke Langdale*'s Brigade, by whom they gain'd Intelligence that his Majesty's Army continued still about *Daventry*.

Whereupon *Fairfax* call'd a Council of War, by whom (amongst other things) it was resolved, that a Letter should be sent to the Parliament to desire them for a time to dispense with *Cromwell*'s Absence from the House, and that he might Command their Horse, an Engagement being like to happen very speedily, wherein his Service might be of great use; which Letter was sent by Col. *Hammond*, and Orders given by Votes of the House to *Cromwell* forthwith to march to the Army accordingly, in Order to which *Fairfax* wrote to him the following Letter:

Cromwell sent for.

SIR,

Fairfax's Letter to *Cromwell*, *June* 11*th*.

YOU will find by the Inclosed Vote of the House of Commons a liberty given me to appoint you Lieut. Gen. of the Horse of this Army, during such time as that House shall be pleased to dispense with your attendance, you cannot expect but that I make use of so good an advantage as I apprehend this to be to the publick good. And therefore I desire you to make speedy repair to this Army, and give order that the Troops of Horse you had from hence, and what other Horse or Dragoons can be spared from the attendance of your Foot in their coming up, march hither with convenient speed; and as for any other Forces you have there, I shall not need to desire you to dispose of them as you shall find most for the publick advantage; which we here apprehend to be that they march toward us by the way of *Bedford*. We are now Quarter'd at *Wotton* two miles from *Northamptom*, the Enemy still at *Daventry*. Your Intelligence is that they intend to move on *Friday*, but which way we cannot yet tell. They are as we hear more Horse than Foot, and make their Horse their Confidence. Ours shall be in God, I pray make all possible haste toward

Your Affectionate Friend
to Serve you,
Tho. Fairfax

The same day Col *Vermuyden*, a Valiant Man, being return'd with his Party of Horse, desired General *Fairfax* that he might Surrender his Commission, having (as he alledged) special occasions requiring

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quiring his Presence beyond the Seas; which was yielded unto, and accordingly he received his Discharge.

Major Gen. *Skippon* was desired to draw the Form of a Battel, and the Army was divided into several Brigades of Horse and Foot, in order to their being better disposed for an Engagement. And *Fairfax* dispatch'd Couriers to Sir *John Gell*, Col. *Rosciter*, and the Governours of *Coventry*, *Warwick*, *Northampton* and *Nottingham*, to give them notice of the probability of a sudden Engagement, and to hasten them to come up with what Strength they could make to Reinforce his Army.

Fairfax's Marches.

On *Wednesday*, *June* the 11*th*, *Fairfax* marched from *Stonystratford* to *Wotton* within three Miles of *Northampton*, his Majesty continuing about *Daventry*, and Quartering his Troops and Carriages upon *Burrough-Hill* (having anciently been a place of Fortification) and 'twas imagined he had made choice thereof as advantagious to Fight upon, in case the Enemy durst advance to him: But indeed his Majesty only waited there for the return of a Party of Twelve hundred Horse, which he had sent as a Convoy with Provisions gathered up in *Leicestershire*, *Northamptonshire*, *&c.* the better to secure that City against a Siege in case it should be attempted, whilst he marched for the Relief of *Pontfract* and *Scarborough*, to which he had a great Inclination, especially because the same appeared more feasible, since the Removal of the *Scotish* Army.

From *Wotton*, *Fairfax* sent the following Letter that Night:

Fairfax's Letter to the Committee of both Kingdoms, *June* 11*th*.

My Lords and Gentlemen,

THE Army is this day marched from *Stonystratford* to *Wotton*, two miles from *Northampton*, and about nine from *Daventry*, where the Enemy yet remains. The ill Weather hath been some disadvantage to us, but I hope a fair day may recover what a foul day loses. It is intended that the Army move something nearer the Enemy to Morrow, by which it's like we may discover their Resolution. If they appear forward to engage, I shall take the best advice I can upon the place, but as yet I see no great reason to decline. But if the Enemy retreat Westward, or stand upon their advantage till further Supplies, which I hear they expect from the *West* to come to them, I offer it to your Lordships, whether it be not fit that this Army receive what addition conveniently they may. And seeing we lye at as good an advantage, for marching Northward as the Enemy, being nearer to *Newark* their only Pass I think fit to propound that the Horse of *Lincolnshire*, *Darby* and *Nottingham* be drawn this way with all convenient speed, for if the King go toward the *West*, or the Western House come to him, we shall be much inferior in Horse, being already over-numbred. I have already sent to those Horse, but thought fit not only to give your Lordships notice, but desire your assistance in the accomplishing of this motion which appears but reasonable to

Wotton at 10 at Night, *June* 11*th*, 1645.

Your Lordships Humble Servant,
Tho. Fairfax.

June the 12*th*, *Fairfax* marched to *Gilsborough*, four miles West of *Northampton*, and within five miles of *Burrough-Hill*, where his Majesty's Army still continued; to whom a Commanded Party of Horse gave an Alarm, and by some Prisoners taken, understood that his Majesty was diverting himself with Hunting, the Soldiers in no good Order, and many of their Horses at Grass, having no thoughts of the so near Advance of the Parliamentarians; yet the Alarm

Alarm was so quickly taken through all their Quarters, that *Fairfax*'s Foot being somewhat behind, and Night approaching, he did not then think fit to venture any further Attempt: But being rather apprehensive they might visit his Quarters, mounted about Twelve that Night, and rode about the Horse and Foot-Guards till Four in the Morning, where an odd Adventure happen'd: Having his Thoughts otherwise busied, he himself forgot the Word, and was stopt at the first Guard; whereupon declaring who he was, and requiring the Soldier that stood Centinel to give it him, the Fellow refused, saying, He was to demand the Word from all that pass'd him, but to give it to none; and if he advanced without it, would shoot him. And so made the General stay in the Wet till he sent for the Captain of the Guard to receive his Commission to give the Word; and in the end the Soldier was rewarded for his Duty and Carefulness. 21 *Caroli.*

The Convoy of Horse sent by the King to *Oxford* being that Night return'd, and this unexpected March of the Enemy up so close to them, being in a manner a Surprize, his Majesty thought fit to Decamp from *Burrough-Hill*, designing on the before-mentioned towards *Pontfract*, either judging *Fairfax*'s Army would not follow them, or if they did, that he might fight them with more Advantage after they had drawn them further Northwards. Accordingly early in the Morning his Majesty's Army dispatch'd their Carriages towards *Harborough*, fired their Huts, and bent their March thitherwards.

Fairfax holds a Council of War.

About Six a Clock the same Morning *Fairfax* called a Council of War, and in the midst of their Debates came in Lieut. General *Cromwell* out of the *Association* with Six hundred Horse and Dragoons, and presently Orders were given for Drums to Beat, Trumpets to Sound to Horse, and all their Army to draw to a Rendezvous; from whence a Party of Horse were sent towards *Daventry*, under the Command of Major *Harrison* to bring further Intelligence; and another strong Party under the Command of Col. *Ireton* to fall upon the Flank of the King's Army, if he found Opportunity, whilst *Fairfax* with the Main Body marched to Flank them in the way to *Harborough*, and came that Night to *Gilling*; at which time the Van of his Majesty's Army was at *Harborough*, the Rear within two Miles of *Naseby*, where *Ireton* fell into their Quarters and took several Prisoners, giving an Alarm to the whole Army. Upon which his Majesty (not having notice thereof till Eleven at Night) left his own Quarters at that unseasonable Time, and called a Council of War at *Harborough*, where Prince *Rupert* Quartered; To whom the Question was put, what was best to be done, seeing the Enemy was so near, and (as 'twas plain) intended to Engage them? It was considered, That should they march on to *Leicester*, if the Rear were Engaged, the whole Army might be put in Hazard, and therefore there was no Safety in marching with the Van, unless they could bring the Rear clear off, which they foresaw would be very difficult to do: And therefore it was resolv'd to put it to a Battel, taking themselves to be more strong in Horse, than *Fairfax*; to be much better furnish'd with old Experienced Commanders, and having no Reason not to rely upon their Infantry; for indeed they were generally valiant stout Men. And further they resolved, since *Fairfax* had been so forward in pressing upon them, they would not remain in that Place where they were, expecting

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The Battel at *Nafeby*, *June* the 14*th*.

him, but forthwith advance to find him out and offer him an Engagement.

General *Fairfax* on *Saturday*, *June* the 14*th*, by Three a Clock in the Morning marched from *Gilling* towards *Nafeby*, with defign to follow clofe upon the King's Rear, and if he could, to retard their March with his Horfe, till his Foot could come up to him, in cafe they fhould march on to *Leicefter*, (he being told that they had in the Night drawn fome of their Carriages through *Harborough* that way.) By Five a Clock *Fairfax* brought his Army to a Rendezvous near *Nafeby*, and foon after feveral Bodies of his Majefty's Horfe fhew'd themfelves on the Top of the Hill on that fide *Harborough*, whereby *Fairfax* and his Officers plainly perceived that they were putting themfelves into Order to Engage him. And fo both Armies began to draw up in Battalia.

Of the King's Army, Prince *Rupert* and Prince *Maurice* Commanded the Right Wing, Sir *Marmaduke Langdale* the Left, and his Majefty himfelf in Perfon the Main-Body: The Earl of *Lindfey* and Sir *Jacob* (fometimes before Created Lord *Afhley*) the Right-hand Referve, and the Lord *Bard* and Sir *George L' Ifle* the Left Referve.

The Right Wing of the Parliament's Army confifting of Six Rements of Horfe, was led by Lieutenant General *Cromwell*, General *Fairfax* and Major General *Skippon* undertook the Charge of the Main Body. The Left Wing compofed of five Regiments of Horfe, and a Divifion of Two hundred Horfe of the *Affociation*, and a Party of Dragoons to fecure their Left Flank, was committed at *Cromwell*'s Requeft to the Management of Col. *Ireton*, who was for that Purpofe made Commiffary-General of Horfe: And the Referves were brought up by *Rainsborough*, *Hammond* and *Pride*. The Place where they fought was a large Fallow Field about a Mile broad on the North-weft-fide of *Nafeby*, which Space of Ground was wholly taken up. The Two Armies were pretty equal as to Numbers, there not being Five hundred difference on either fide.

The Field-word for the King was, *Queen Mary*: For the Parliament, *God our Strength*.

The Exact Form of the Battel is reprefented in the following Figure: That of the King's Army being drawn up foon after by the Lord *Afhley*, who in an Engagement near *Stow* in the *Wold* was taken Prifoner; and whofe Papers of *Nafeby* Battel under his own hand I have by me, and that of the Parliament's Army given in, approved by feveral of the Commanders in Chief therein concerned.

The King's Army in the Form here defcribed marched up in good Order, a fwift March, with abundance of Alacrity, Gallantry and Refolution. *Fairfax*'s Army was on the Brow of a fmall Hill, having placed a Forlorn Hope of Three hundred Mufqueteers about Carbin-fhot lower, who after they began to be hard preffed upon, Retreated, according to the Orders before given them, to the Main Battalia. Prince *Rupert* with his Majefty's Right Wing firft began the Charge on that fide againft *Ireton*, and *Cromwell* with the Parliament's Right Wing at the fame Inftant fell upon *Langdale*; and tho' feveral Actions in divers Parts of the Battel happen'd at the fame Moment, yet they cannot be related otherwife than fucceffively, and therefore for Method I fhall fpeak firft of the Succefs of the King's Right Wing againft the Parliament's Left: 2*dly*, Of the Actions

ons between the two Main-Bodies: 3*d*, Of the Success of *Fairfax*'s Right Wing against the King's Left, which will bring us, 4*thly*, to the Catastrophe or Upshot of the whole Action, wherein the Parliamentarians gain'd an intire Victory. 21 *Caroli.*

First then, the Prince furiously Charging, as you have heard, was handsomely received by *Ireton*, who yet after some smart Action, was disorder'd, and himself in Charging a Brigade of the King's Foot, which he saw on his Right hand, pressing sore upon some of his Party, having his Horse shot under him, was run through the Thigh with a Pike, and into the Face with an Halbert, and taken Prisoner, until afterwards upon the Turn of the Battel he found an opportunity to gain his Liberty. This Wing and their Reserves being broke, and generally over-born (which they imputed to the Disadvantages they sustained by certain Pits of Water, and Pieces of Ditches which they expected not,) his Highness Prince *Rupert* pursued the Advantage, and Chaced them almost to *Nasehy* Town. And in his Return Summoned the Train, offering them Quarter; but they being well defended with Firelocks, and a Rear-Guard, refused to submit, and kept him off so long, till perceiving the Fortune of the rest of the King's Army not to be equal to his, he quitted them, to succour, if he could, his Friends, but came too late, as appear'd by the Sequel.

Between the two Main-Bodies very fierce and doubtful was the Encounter; but the Success there at first seemed to incline to his Majesty's Forces; for except *Fairfax*'s own Regiment of Foot, almost all the rest of his Front-divisions gave Ground, and went off in Disorder, falling behind the Reserves: But the Colonels and Officers after they found all their Endeavours to keep their Men firm, were (for a while) fruitless, did themselves with their Colours and some Soldiers, fall into the Reserves, who advancing, repell'd the King's Forces, and at last put them to a disorderly Retreat. But Major General *Skippon* was very dangerously Wounded by a shot in the Side, whereupon General *Fairfax* desired him to go off the Field, but the Old Man answered, *He would not stir so long as a Man would stand*; and accordingly staid till the Battel was ended.

In the mean time *Cromwell* with his Right Wing had Charged Sir *Marmaduke Langdale* with great success; for tho' he met with a Gallant Resistance, insomuch that they fired at a close Charge, and came to the Sword's Point, and put several of his Divisions into disorder, yet in fine he broke them, and forced them to fly beyond all their Foot, near a Quarter of a Mile beyond the Place where the Battel was fought. Which having accomplished, his next Business was with part of his Troops to keep the King's Horse from coming to the Rescue of their Foot; against whom by this time *Fairfax* with his Main-Body had prevailed, and disorder'd them all, except one *Tertia*, who stood like a Rock, and tho' twice desperately Charged, would not move an Inch; whereupon *Fairfax* commanded (the Captain of his Life-Guard) to Charge them once more in the Front, and he himself with his own Regiment, and a Commanded Party would at the same Instant fall upon them in the Rear, and so they might meet together in the middle; which was done accordingly, and that last Body of the King's Foot put into confusion and broken.

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Upon the Routing of this laſt Body, the King had nothing intire in the Field, but his Horſe, with whom was his Majeſty himſelf, and had Rallied and put them into as good order as the time would permit; the Prince too being now returned from his fatal Succeſs, and joyned with him: But all his Majeſty's Train of Artillery was already loſt, and his Foot broken, and *Fairfax*'s Army buſied in taking of Priſoners, except ſome Bodies of Horſe which faced the King to prevent him from advancing to the Succour of his Infantry.

However, His Majeſty having got his Cavalry into convenient Order, *Fairfax* did not think fit to Charge them with his Horſe only, till the Foot were come up; and therefore the Officers having Rallied his Foot that were diſorder'd in the firſt Charges, and got them into a Body, they were coming up upon a faſt March to fall in between the Horſe who were drawn up again in two Wings, with a ſufficient Space left between them for the Foot, ſo that here was formed a ſecond good Battalia of Horſe, Foot and Artillery at the latter end of the day; from which the King's Horſe without any Ordinance or Aſſiſtance of Foot were to expect a ſecond Charge; the Dragoons having already began to Fire; whereupon, not willing to venture another ſhock upon ſuch great Diſadvantages, his Majeſty with Courage and Magnanimity endeavoured all that was poſſible to encourage them, Crying out, *One Charge more, and we recover the Day*; Yet he could not prevail, but they Retreated in diſorder, both Fronts and Reſerves; and *Fairfax*'s Horſe purſued them unto within two Miles of *Leiceſter*, being fourteen Miles of *Leiceſter*, and took many Priſoners.

Touching the Number ſlain in this Battel I have not been able to gain any certain Account: There were taken Priſoners near 5000, *viz.* Six Colonels, Eight Lieut. Colonels, Eighteen Majors, Seventy Captains, Eighty Lieutenants, Eighty Enſigns, and about Two hundred inferior Officers, beſides many of his Majeſty's Houſhold-Servants, and above 4000 private Soldiers.

There were alſo taken all the King's Train of Artillery that was in the Field, *viz.* Twelve Braſs Pieces of Ordinance (whereof two were Demi-Cannor,) Two Mortar pieces, about 8000 Arms, Forty Barrels of Power, all the Bag and Baggage, and very rich Pillage, which the Soldiers had poſſeſs'd themſelves of at the taking of *Leceſter*, above one hundred Colours, the King's Sumpter, ſeveral Coaches, and his Majeſty's Cabinet of Papers and Letters, &c.

The King this day excellently diſcloſed the Part of a General both for Conduct and Courage; ſo likewiſe the Earl of *Lindſey*, Lord *Aſhley*, Col. *Ruſſel* and others that were Wounded, acquitted themſelves with great Gallantry. Of Colonels, Knights, and Officers of Note, there were ſlain of his Majeſty's Side about twenty. And of private Soldiers, the Number of 600 or thereabout, as was commonly computed, but much greater, and indeed irreparable was his Majeſty's Loſs of ſo many brave Foot taken Priſoners.

His Majeſty in Perſon with Part of the Horſe retreated into *Leiceſter*, but not judging it ſafe there to continue, parted thence the ſame Evening to *Aſhby-de-la-zouch*, where he Refreſhed himſelf for ſome Hours, and thence paſs'd on to *Litchfield*, and ſo towards *Wales*.

The King retires towards *Wales*.

Another Part being the Northern Horſe, under Sir *Marm. Langdale* got to *Newark*, and both Parties happily miſs'd Sir *John Gell*, who with

with 2000 Horse according to Orders formerly sent him, were the same day on their march from *Nottingham* towards *Leicester*, intending to have joyn'd the Parliament's Army before the Engagement. *21 Caroli.*

Fairfax the same Night of the Battel marched five Miles, *viz.* to *Harborough*, and made that his Head-Quarter; and most of the Prisoners taken in the Fight were that Night kept in *Harborough* Church; and the rest, especially such as were Wounded, sent to *Northampton*.

But the next day the General ordered Col. *John Fiennes* and his Regiment to march up to *London* with the Prisoners and Colours taken in this Fight.

Fairfax's Letter to the Commons of the Battel at Nafeby, June 15th.

Mr. Speaker,

BEsides the General Account I have already given by one of my Servants, whom I sent up to *London* yesterday, I thought fit to send this Bearer, Mr. *Boles*, who may more particularly inform you, concerning the abundant Goodness of God to this Army and the whole Kingdom in the late Victory obtained at *Nasby*-Field, the whole Body of their Foot taken and slain; such a List of the Prisoners as could be made up in this short time, I have sent: The Horse all quitted the Field, and were pursued within three Miles of *Leicester*: Their Ammunition, Ordinance and Carriages all taken, amongst which there were two Demi Cannons, a whole Culverin, and a Mortar-piece, besides lesser Pieces. We intend to move to *Leicester*, as soon as we have taken order with our Prisoners and Wounded Men: All that I desire, is, That the Honour of this great, never to be forgotten Mercy, may be given to God in an Extraordinary Day of Thanksgiving. And that it may be Improved to the good of his Church and this Kingdom; which shall be faithfully endeavoured by,

Harborough, June the 15th, 1645.

Sir,
Your most Humble Servant,
Thomas Fairfax.

POSTSCRIPT.

MAjor Gen. *Skippon* was shot through his Side, but notwithstanding continued in the Field with great Resolution. And when I desired him to go off the Field, he answered, *He would not go off as long as a Man would stand*; still doing his Office as a Valiant and Wise Commander. Also Col. *Butler*, and Col. *Ireton* upon their first Charge were both dangerously Wounded, behaving themselves very Gallantly. If I could enter into Particulars much might be spoken of the Resolution and Courage of many Commanders both Horse and Foot in this day's Service. Some *Irish* are amongst the Prisoners, as I am informed; I have not time to make inquiry into it; I desire they may be proceeded against above according to Ordinance of Parliament.

Cromwell's Letter touching the same.

SIR,

BEing Commanded by you to this Service, I think my self bound to acquaint you with the good hand of God towards you and us: We marched yesterday after the King, who went before us from *Daventry* to *Haverbrow*, and Quarter'd about six miles from him. This Day we marched towards him. He drew out to meet us, both Armies Engaged. We after three Hours Fight very doubtful, at last Routed his Army, kill'd and took about 5000, very many Officers, but of what Quality, we yet know not. We took also about 200 Carriages, all he had, and all his Guns, being twelve in number, whereof two were Demi-Cannon, two Demi-Culverins, and I think the rest Sacres; we pursued the Enemy from three miles short of *Harborough* to nine beyond, even to the Sight of *Leicester*, whither the King fled.

Sir,

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Sir, This is none other but the Hand of God, and to him alone belongs the Glory, wherein none are to share with him. The General served you with all Faithfulness and Honour; and the best Commendations I can give him, is, That I dare say he attributes all to God, and would rather perish than assume to himself; which is an honest and a thriving way; and yet as much for Bravery may be given to him in this Action, as to a Man: Honest Men served you faithfully in this Action. Sir, they are trusty; I beseech you in the Name of God not to discourage them. I wish this Action may beget Thankfulness and Humility in all that are concerned in it. He that ventures his Life for the Liberty of his Country, I wish he trust God for the Liberty of his Conscience, and you for the Liberty he fights for: In this he rests, who is,

June 14*th*, 1645. *Haverbrow.*

Your most Humble Servant, *Oliver Cromwell.*

The Committee residing with the Army, their Letter to the *Speaker*, June 14*th*.

SIR,

THIS Morning by Day-break we marched out of *Guilsborow* after the Enemy; after an Hour's March we discovered their Horse drawn up at *Sybbertoft*, three Miles on this side *Harborough*; an Hour after their Foot appeared. This was about Eight in the Morning; by Ten we were disposed into a Battalia on both Sides: Both Sides with mighty Shouts express'd a hearty desire of Fighting, having for our parts Recommended our Cause to God's Protection, and receiv'd *The Word*, which was, *God our Strength*: Theirs, *Queen Mary*. Our Forlorn Hopes began to play, whilst both Sides labour'd for the Hill and Wind, which in conclusion was as it were equally divided. Our Forlorn-Hope gave back, and their Right Wing of Horse fell upon our Left with such Gallantry, that ours were immediately Routed, above 1000 ran along with them: But such was the Courage and Diligence of the Right Wing back'd with the Foot, that they not only beat back the Enemy from their Train, but fell in with their Foot, and after two Hours Dispute won all the Field-Pieces, (whereof some are Cannon) most of their Baggage, Mortar-Pieces, Boats, 9000 Arms, much Powder and Match, *&c.* And nigh 4000 Prisoners. Their Number was about 12000. Some 600 Slain, many Commanders of Note. Of ours not above a hundred. Our Horse are still in pursuit, and have taken many of theirs. The Standard is ours, the King's Waggons and many Ladies. God Almighty give us Thankful Hearts for this Great Victory, the most absolute as yet obtained. The General, Lieut. Gen. *Cromwell*, and Maj. Gen. *Skippon*, (who is shot in the Side, but not dangerous) did beyond Expression Gallantly, so did all our other Commanders and Soldiers. We have lost but two Captains. Tho' this come late, be pleased to accept it from

Naseby, where the Fight was this *Saturday*, 14*th* *June*, 1645.

Your Honours most Humble Servants, *Har. Leighton.* *Tho. Herbert.*

Prisoners of War taken at Naseby-*Field*, June *the* 14*th*, 1645. *in* Northamptonshire.

Colonels.
Sir *Richard Page.*
Theophilus Gilby.

Lieut. Colonels.
Woodhouse.
Lauson.
Burges.
Thornton.

Majors of Foot.
Byme.
Bridge, Knight.
Hue.
More.

Majors of Horse.
Whitford.

Denne.
Hookes.
Revely.

Captains of Horse.
Thomton.
Shaftoe.

Capt.

21 *Caroli.*

Capt. Lieut.
Carnabee.
Lampton.
Officers of the Life-Guard of Foot.
Captains.
Fox.
Levins.
Fisher.
Benton.
Bartee.
Capt. Lieut.
Waller.
Lieutenants.
Muese.
Browne.
Ensigns of the Guard.
Chamberlain.
Porter.
Birkenhead.
Ingoldsby.
Meushall.
Wildball.
Officers of the Life-Guard of Horse.
Capt. *Mason*, Reformado.
Officers of the Duke of *York*'s Regiment of Foot.
Captains.
Fitz-Morres.
Widnam.
Hill.
Dier.
Capt. Lieut.
Hawkesworth.
Lieutenants.
Resley.
Curles.
Ryley.
Ensigns.
Bunch.
Resley.
Goring.
Bradshew.
Prince *Rupert*'s Regiment of Foot.
Lieut. *Fisher.*
Officers in Prince *Maurice*'s Life-Guard.
Capt. *Gerret.*
Capt. *Tempest.*
Lieut. *Backster.*
Quarter-Master *Simson.*
Officers of the Lord *Ashley*'s Regiment of Foot.
Captains.
Walley.
Jackson.
Wright.

Fowler.
Basherfield, Reformado.
Ensigns.
Ridley.
Rowland.
Corporal of the Field-Regiment.
Officers of Sir *Bernard Ashley*'s Regiment of Foot.
Capt. *Hoare.*
Capt. *Fisher.*
Lieutenants.
Weller.
Simons.
Smith.
Harden.
Ensigns.
Chester.
Homes.
Simmons.
Officers of Col. *Appleyard*'s Regiment of Foot.
Captains.
Terwil.
Masters.
Saunderson.
Huband.
Lieutenants.
Middleton.
Thompson.
Lewin.
Baker.
Officers of Col. *Regols* Regiment.
Capt. *Dyet.*
Capt. *Glasier.*
Lieutenants.
Ward.
Baggerley.
Cause, Reformado.
Ensigns.
Sharpe.
Blenkerne.
Emmings.
Tomes.
Officers of Sir *John Paul*'s Regiment of Foot.
Capt. *Mason.*
Lieutenants.
Birket.
Wim.
Hickman.
Bradford.
Burling.
Ensigns.
Yeat.
Glascooke.
Hutchins.
Price.

Cocke.
Officers of Col. *Gerrard*'s Regiment of Foot.
Major *Bishop.*
Capt. *Booth.*
Ensign *Bland.*
Ensign *Perrine.*
Officers of Col. *Page*'s Regiment of Foot.
Col. *Page.*
Lieut. Col. *Lawson.*
Major Sir *Will. Bridges*, Knight.
Captains.
Edrington.
Norton.
Henson.
Kerrington.
Bemson.
Limson.
Lieutenants.
Cartaine.
Egleston.
Hilkingson.
Bates.
Roundtree.
Floynee.
Ballard.
Roberts.
Ensigns.
Edrington.
Linge.
Scot.

Officers of Col. *Lile*'s Regiment of Foot.
Lieut. Col. *Littleton.*
Major *Fowler.*
Captains.
Skirough.
Whitegreene.
Littleton.
Hocklington.
Lieut. *Carter.*
Ensign *Turpin.*
Ensign *Littleton.*

Officers of Col. St. *George*'s Regiment of Foot.
Major *Whitmore.*
Captains.
Owen.
Laurence.
Laurence.
Hearte.
Lieutenants.
Jones.
Nalsey.
Jones.
Ensign *Tem.*

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Officers of Col *Morris's* Regiment.
Major *Whitford.*
Lieutenants.
Surles.
Griffith.
Ensigns.
Higham.
Ciscill, Reformado.
Colonel *Bard's* Officers of Foot.
Captains.
Lesley.
Devoslet.
Lawson.
Lieutenants.
Fowler.
Twifield.
Windsor.
Ensigns.
Dolison.
Faire Brothe.

Col. *Vaughan's* Officers of Horse.
Lieut. Col. *Slaughter.*
Capt. *Hosiers.*
Lieut. *Armstrong.*
Cornet *Edmonds.*
Quarter-Mast. *Nursse.*
Lieut. *Billingsley,* Reformado.
Col. *Broughton's* Regiment of Foot.
Capt. *Hill.*
Capt. *Paulden.*
Lieutenants.
Davenport.
Oliver.
Morgan.
Duppa.
Ensigns.
Vaughan.
Pritchard.
Porter.

Col. *Tiller's* Officers of Foot.
Capt. *Church.*
Capt. *Dikes.*
Lieut. *Busbirdge.*
Ensigns.
Harrison.
Bowen.
Dillon.
Loftus, Senior.
Loftus, Junior.
Sir *Fulke Hunke* his Officers of Foot.
Lieut. *Rewes.*
Lieut. *Perryn.*
Ensign *Smith.*

Officers of Col. *Lucas's* Regiment of Foot.
Capt. Lieut. *Parker.*
Lieut. *Johnson.*
Lieut. *Cole.*

The Names of his Majesty's Houshold-Servants now in the Marshal's Custody.

Mr. Howen *Page of his Majesty's Bed-Chamber.*
Mr. Abbot *their Chamber-keeper.*
One Sumpter Man.
Four Foot-men of his Majesty's.
One Foot-man of Prince Maurice's.
Robert Markham *Yeoman of his Majesty's Chandry.*
William Waston, *Porter at Gate.*
Roger Gellybrand *of his Majesty's Confectionary.*
One Groom of the Chamber.
And one Chamber-keeper belonging to the Duke of Lenox.
Nicholas Johnston *belonging to his Majesty's Groom Porter.*
Walter Whife *belonging to his Majesty.*
James Spanier *Victualler.*
Francis Roffell.

More Prisoners of War.

Col Bunkley *of Horse.*
Lieut. Col. Godfry.
Major More.
Captain King.
Lieutenant Griffin.
Lieutenant Nightingall.
Ensign Musgrave.
Lieutenant Tench.
Thomas Mangainere *of the Prince's Troop.*
Richard Addrings, *Prince's Troop.*
John Piffinch.
Joseph Bromehall.
Sir William Vahan.
Morgan Evans, *the Queen's* Regiment.

There were many taken last Night late near *Leicester,* and sent to *Rockingham*-Castle; most of the Duke of *York's* Life-Guard, and then the Colours of that Regiment were taken: Sir *John Norwich* took Colonel *Nevil* Prisoner.

Die Lunæ, 16 Junii, 1645.

IT is this Day Ordered by the Lords and Commons in Parliament Assembled, That *Thursday* next shall be set a part for a Day of Publick Thanksgiving to Almighty God in all the Churches and Chappels within the Cities of *London* and *Westminster,* and Lines of Communication, for the Great and Glorious Victory obtained by the Parliament's Army, under the

the Command of Sir *Thomas Fairfax* against the Forces of the King. And that Mr. *Marshall* and Mr. *Vines* be desired to Preach at *Christ-Church* before the Parliament. And that the L. Mayor, Aldermen and Common Council do meet the Parliament there. And it is further Ordered, That *Friday* being the 27*th* of this Instant *June* be likewise set apart for a Publick Day of Thanksgiving for this Victory in all the Churches and Chappels in the several Counties of the Kingdom under the Power of the Parliament. 21 *Caroli.*

Jo. Brown Cler. Parliament.

General *Fairfax* endeavouring to improve this Victory, gave Orders for the Army, Horse, Foot and Train, to march forwards the very next day, being *Sunday June* 15*th*, and made to *Glyn* four miles short of *Leicester*, the Head-Quarter; the Horse marching within a Mile of *Leicester* that Night, and kept Guards, which so alarm'd the Nobles and Gentry that had fled thither for security, that they departed thence in much haste, leaving the Lord *Hastings* to defend that Place.

This day he also received a full Intelligence of the State of Affairs in the *West*, by means of the contrivement of the Scout-master General; the manner thus: A Spy of his formerly employed by him to Secretary *Nicholas* in *Oxford*, was the day that the Army rose from before that City, sent to him again (yet as coming of his own accord) to give him Intelligence, that the Army would that Morning march away, it being conceived that either the Secretary would send him (or he might find some opportunity) to go into the *West*, where General *Goring* then lay with his Army about *Taunton*, and bring the Intelligence desired; accordingly it fell out: Into the *West* he was sent, first to *Bath*, where the Prince of *Wales* then was, to whom he brought the first News of the Parliament's Army rising from before *Oxford*, from thence to General *Goring* about *Taunton*, who received him and the News very gladly, and looking upon him as a fit Instrument to be employed to the King, then about *Leicester*, and as they supposed, intending Northward; dealt with him, (as about business of great concernment) to carry a Packet of Letters to his Majesty: The Fellow with some seeming difficulty suffered himself to be perswaded, received the Packet, but brought them to *Fairfax* fairly sealed up. *Fairfax* seemed unwilling to open the King's Letters. But *Cromwell* and *Ireton* prevailed to open them, wherein was signified that in three Weeks time (nine days whereof were then expired) General *Goring* was confident to master the Forces at *Taunton*, and by consequence to settle the *West* of *England*, in an absolute posture for his Majesty's Service, and march up with a considerable Army to his Assistance; advising the King by all means in the mean time to stand upon the defensive, and not engage till his Forces were joyned with his Majesty's. Had these Letters been delivered to the King (as they might have been but for this Defeatment) in all probability his Majesty had declined fighting for the present, and staid for those Additionals: But as the want of this Intelligence was so fatal to his Majesty, so the notice thereof quicken'd *Fairfax* to make speed to Relieve *Taunton*; yet he being so near *Leicester*, and that Town in all probability easie to be regain'd, (considering the fear that they within were possessed withal by the loss of the day at *Naseby*,) besides the want of Men thereby (in all likehood) to make good their Works, he resolved first to assay that; and accord-

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Fairfax marches to *Leicester*, and Summons the Governour.

ingly *Monday*, *June* the 16*th* about Noon brought his whole Army before the Town; and sent a Summons to the Lord *Hastings* to Surrender the Garrison, with all the Ordinance, Arms and Ammunition therein, who returned a resolute Negative Answer, as if he meant to defend it to the last Man; whereupon a Council of War being called, it was resolved to Storm the Place. Warrants were sent to the Hundreds to bring in Ladders, Carts, Hay, Straw, and other things requisite for that purpose. In pursuance whereof great store of Ladders were brought in on *Tuesday*, *June* the 17*th*, and a Battery was raised, upon which two Demi-Cannons and a whole Culverine taken at *Naseby* were planted, which played upon the Fortification called the *Newark*, being the very same Guns which the King not many days before had used against the same Place: The Lord *Hastings* perceiving his condition was like to be desperate, sent a Trumpeter with a Letter to the General, desiring a Parley concerning the Surrender of the Town, which was accepted of; Commissioners appointed to Treat, and Hostages on both Sides given; and the Treaty begun that Evening, and held Debate till Twelve a Clock that Night, then concluded upon these Articles.

Leicester Surrenders.

Articles of the Surrender of *Leicester*.

1. That the Lord *Loughborough* should have Quarter granted him, and have Protection for his Person to be safely conveyed to the Garrison of *Ashby-de-la-zouch*.

2. That all Field-Officers, Colonels, Lieutenant Colonels, Serjeants, Majors, and Captains, and Lieutenants of Horse (but not of Foot) shall march away with their own particular single Horse and Arms, with Protection for their own Persons.

3. That all the rest of the Officers shall be conveyed safely to the Garrison of *Lichfield* with Staves only, and no other Weapon in their hands.

4. That all common Soldiers have Quarter only for their Lives, and be conveyed to *Lichfield*, without any other Weapons, save only Staves in their hands.

5. That before Ten of the Clock, the said Morning *June* the 18*th*, the Governour of the Town, and the Lord *Loughborough* and all the rest of the Officers and Soldiers march out of the Garrison according to the Agreement aforesaid.

6. That Sir *Thomas Fairfax* be permitted to enter in at Ten of the Clock the said *Wednesday* Morning aforesaid, with his Forces, and take Possession of the Garrison.

7. That all the Pieces of Cannon, Great and Small, now in the Garrison of *Leicester*, be left to Sir *Thomas Fairfax*.

8. That all the Arms and Ammunition now in *Leicester* be left to Sir *Thomas Fairfax*, save only what is agreed to for the Officers of Horse aforesaid.

9. That all the Provisions, Colours, Bag and Baggage be also left to Sir *Thomas Fairfax*.

10. That all the Horse (save only those excepted for the Officers aforesaid) that are in the Garrison of *Leicester*, be delivered up to Sir *Thomas Fairfax* for the Service of the Parliament.

11. That all the Officers and Soldiers have Quarter for their Lives.

12. That all the Prisoners of War that are in *Leicester* at the same time be released and set free to serve the Parliament.

The Guards and Centinels in the Gate-house Prison in the *Newark* hearing of the Conclusion of the Articles, about Four a Clock on *Wednesday* Morning went away from their Duty, and left their Arms

Arms behind them, and the Prison-door open, whereupon the Prisoners went out, and finding the Garrison a Plundering they fell a Plundering too. About seven a Clock all the Guards were drawn off, the Soldiers on the Line threw down their Arms, quit their Posts, and the Gates were opened, which gave Invitation to divers of *Fairfax*'s stragling Soldiers to get into the Town at the Ports and over the Works; Complaint hereof being made to *Fairfax* by some from the Lord *Loughborough*, of the Violation of the Articles by his Soldiers: He sent to the Lord *Loughborough* to keep all his Men upon their Guards, and if any offered violently to enter the Town before the time, to fire upon them, and immediately issued out a Proclamation, commanding the punctual Observance of the Articles by his own Soldiers under pain of death. But the Lord *Loughborough* instead thereof mounted on Horse-back in the Morning with divers Gentlemen (Officers and others) and left the Town some hours before the time appointed for his marching forth; so that when *Fairfax*'s Commissioners, came at the time appointed to see the Articles perform'd, they found his Lordship gone, and the Town in confusion, but the Soldiers were Commanded off, and things soon put into some convenient Order, and then about Eleven a Clock the Army enter'd the Town, where they found divers Commanders of Note, *viz.* Serj. Maj. Gen. *Eyres*, Col. *Lisle*. Lieut. Col. *Mouldsworth*, Lieut. Col. *Pemberton*, Major *Naylor*, Major *Trollop*, and divers Persons of Quality, all Wounded in the late Battel.

21 *Caroli.*

Lord *Loughborough* marches out of *Leicester.*

Here were taken in the Town Fourteen Pieces of Ordnance, Thirty Colours, about 2000 Arms, fifty Barrels of Powder, and other Ammunition in good proportion.

The next day being *June* the 18*th*, Money being come down from *London*, the Army was Muster'd.

Leicester being thus regain'd on the 18*th* of *June*, *Fairfax* was in some doubt whether he would march after the King, whom he had Intelligence was raising new Forces on the Borders of *Wales*, or advance to Releive that part of his Army, which was now Besieged in and about *Taunton*, and which by the late gain'd Intelligence, were not in a condition long to support themselves; nor was *Massey* who was sent that way able to succour them, being not above 3000 strong, so that General *Goring* was in a condition both to keep off him and continue the Siege. And if *Taunton*, and consequently that Party should be lost, he easily foresaw of what consequence it would be to the Parliament's Interest, when his Majesty's Forces should possess the whole *West* (except the Garrisons of *Lime*, *Pool*, and *Weymouth*) intirely to themselves, and therefore his March thither seem'd absolutely requisite: But being unwilling to determine himself in so weighty a case, sent to the Parliament for their Directions. And in the mean time on the 20*th* of *June* drew out of *Leicester* to *Lutterworth*, and the next day to *Lillington* in *Warwickshire*, so to *Warwick* on the 22*d*, and to *Clifford* in *Glocestershire*, thence to *Campden*, thence to *Northledge* (fourteen miles,) and on the 26*th* came to *Lechlale*, where his Forlorn surprized some of the King's Soldiers belonging to *Radcot* Garrison, shot Lieut.Col. *Nott*, and took four Prisoners.

Fairfax deliberates of Relieving of *Taunton*

In their March to *Wanborough*, Friday *June* the 27*th*, they took in *Highworth* Garrison, being a Church Fortified by a Line and Bulwarks, and therein Major *Hen* the Governour, and about seventy

An. 1645. Prisoners; and because it stood conveniently in a Line for *Malmesbury*, appointed the Governour of that Town to continue an Out-Garrison there, for inlarging his Quarters.

From *Wanborough* the Army marched to *Burchalk* in *Wiltshire*, by three Stages; and by the way on the *Sunday (June* 29.) while they rested at *Marlborough*, sent out some Spies to *Taunton*, to give them notice of the Army's Advance for their relief. Thence after a Rendezvous at *Stonehenge*, they marched in Battalia upon *Salisbury*-Plain, and so came on *Wednesday*, *July* 2. to *Blandford*, and in their march took Mr. *Penruddock*, and one *Fussell*, two Captains of the *Club-men* (as they were called) being a great Number of the Inhabitants of several Parts of *Wiltshire*, and some Counties adjacent, who gathered themselves together, alledging they did but stand on their own Defence, to prevent Plundering; and that they would in that Posture remain Neuters until the King and his Parliament should agree; but in truth most of the Leading Men amongst them favour'd the King's Party; (and had they had opportunity, would no doubt openly have shewed themselves for his Majesty's Service.) These two Gentlemen being Examined, and promising not to appear any more in that business, where discharged

In this day's March was a Soldier executed, being by the Country apprehended and accused, for plundering of a Gentleman passing on the way near *Marlborough*.

Thursday July 3. *Fairfax* marched from *Blandford* to *Dorchester* 12. miles, a very hot Day, where Col. *Sidenham* Governour of *Weymouth* gave him information of the condition of those Parts, and of the great danger of the *Club-risers*; who would not suffer either Contribution or Victuals to be carried to the Parliament's Garrisons. And the same Night Mr *Hollis* of *Dorsetshire* the Chief Leader of the *Club-men*, with some others of their principal Men came to *Fairfax*, and Mr. *Hollis* own'd himself to be one of their Leaders, affirming that it was fit the People should shew their Grievances and their Strength. *Fairfax* treated them civilly, and promised they should have an Answer the next Morning; for they were so strong at that time, that it was held a point of Prudence to be fair in demeanor towards them for a while; for if he should Engage with General *Goring*, and be put to the worst, these *Club-men* would knock them on the heads as they should fly for safety.

The *Club-men*.

That which they desired from him was a safe Conduct for certain Persons to go to the King and Parliament with Petitions: Those assigned to the King were Dr. *Henry Goche* of *Trinity*-College in *Cambridge*, and Mr. *Thom. Bromwell* Divines, *John St. Loe*, *Peter Hoskins*, Esquires, Mr *Thom. Young* an Attorney, and *Mr. Rob. Paulet*, Gentleman. To the Parliament *Mr. Melchizedeck Waltham*, Mr. *Richard Hook*, two Divines, *Thom. Trenchard*, *Robert Calliford*, Esquires, *George Hawleys*, *Richards* and *Newmen*, Gentlemen.

The *Club-men* desire their Petitions to be sent to the Parliament.

Mr. *Hollis* tendered to the General the Petitions, so to be conveyed; as also certain Articles of their *Association*: The Articles were,

That the Associates provide Arms, set Watches, be quiet with them that are so, lay hold on disorderly Soldiers, bring them to the next Garrisons, not to deny Quarters and Contributions to their Ability: Till their Petitions be delivered, not to favour either Party, nor to protect any not Associated.

The

The Heads of the Petitions were:

To desire a renewed Treaty, with a Cessation, as also that the Garrisons of *Dorset* and *Wiltshire* be put into their Hands, till the King and Parliament agree about their disposal. That they be free from all Charge, but the Maintenance of those Garrisons. That all Laws not repealed, be in force, and executed by the ordinary Officers. That all Men who desire it, may lay down Arms. That others that have absented themselves from their Dwellings may have free liberty to return and live at home.

After Speech had with them, and some Consultation what to do in the Business, he returned his Answer in Writing as followeth.

Fairfax's Answer to the *Club-men.*

ALthough the Papers brought to me, being not Subscribed, cannot challenge my Answer, yet to clear my self from any averseness to the satisfaction of the Country, who are pretended to be interested in these Petitions, I return this.

That my Affections and the Affections of this Army are as much inclined to Peace, as any Men's whatsoever; and we undertake the War for no other end, but the Establishing of a firm and happy Peace, by opposing the Enemies thereof; and that I shall be ready, so far as concerns me, to further all lawful and fit means to procure it: But having seen the Petitions, upon which a Let-pass is desired, I must profess my self not so well satisfied with some things contained in them, as to concur to their delivering by any act of mine: In particular, in that a Cessation is desired, whilst by Letters written by the King and Queen, taken at the late Battel of *Naseby*, it evidently appears that Contracts are already made for the bringing in 10000 *French* and 6000 *Irish*. It is further desired, that the Garrisons in these Parts, whereof three are Sea-ports, should be delivered up to the Petitioners; which to grant, were for the Parliament to acquit part of the Trust reposed in them by the Kingdom; and considering these Foreign Preparations, to run very great hazard to those Ports themselves, and to the whole Kingdom. Thirdly, it is propounded that liberty be given to all Soldiers to disband, and to return to their home, if they desire it; which may with equal Justice be desired by all Parts of the Kingdom, and so the Parliament made unable to manage the War, before Peace be settled.

These Considerations, with some other yet to be debated, will not allow me to grant the desire of the Letter: But as for that part of the Petition which declares the Grievances of the Country by Plunder and Violence, committed either by Garrisons or Armies: I do hereby promise and undertake for the Garrisons and Armies under the Command of the Parliament, that whatsoever Disorders are committed by them, upon complaint, making known the Offences and Persons, Justice shall be done, and satisfaction given: As also I shall endeavour that the Parliament's Garrisons may be regulated according to any reasonable Agreement with the Country; and without doubt the Parliament will cause them to be slighted, so soon as the condition of those Parts, and the publick good shall permit; and that the Army under my Command shall be ordered as may be most for the good and advantage of these Counties, and of the whole Kingdom; of which some reasonable Testimony is already given, in their quiet and orderly Passage from these and other Counties, without many of those Complaints which usually follow Armies.

I further desire that in the publishing this my Answer to your Request, all assembling the People to publick Rendezvous may be forborn, and that Copies hereof may be dispersed to the several Parishes, that the Country may be acquainted therewith.

Tho. Fairfax.

The

An. 1645.

The Army marched that day from *Dorchester* to *Beawminster*, the Train and most of the Foot Quartered on the Top of an Hill, some few in *Beawminster* Town, the greatest part of which had lately been burnt down when Prince *Maurice* was there.

In the mean time General *Goring*, advertis'd of *Fairfax*'s March, had raised his Army from before *Taunton*, and was marched towards *Langport*.

Thus was *Taunton* the second time Relieved, (being greatly distressed both for Ammunition and Victuals.) In which last Siege the Parliament's Party lost Col. *Lloyd*, and Col. *Richbell*, and several other Officers: But on the King's Side were also lost divers Persons of Quality, amongst whom Sir *John Digby*, Brother to Sir *Kenelm Digby*, receiv'd a mortal Wound, of which soon after he died.

Fairfax at *Crookhorn*

The *5th* and *6th* of *July*, *Fairfax* kept his Head-Quarters at *Crookorn*, and General *Goring* with his Forces kept the Pass at *Load-Bridge* with a strong Guard, and also pulled down *Pederton-Bridge*, and made Breast-works, on the other side: But upon the Approach of a Party under Col. *Fleetwood*, quitted the lattet Pass; whereupon *Fairfax* ordered that Bridge to be made up again, and planted a considerable Guard there.

General *Goring* continued at *Long-Sutton*, keeping a Guard at *Load-Bridge*, and making good the Garrison at *Ilchester* and *Langport* the two Passes upon the River, and had broken down the Bridge higher up the River towards the Town of *Evil*. *Fairfax* on *Monday* the *7th* of *July* by Six of the Clock in the Morning drew his Foot to a Rendezvous in a Field about a Mile from *Crookhorn* in the way to *Pederton*, and with a Commanded Party went to view the Pass at *Load-Bridge*: General *Goring* seeing their Horse appear in great Numbers, drew up his Foot, and ordered some Regiments to march from *Load-Bridge* along the River-side to *Ilchester*, fearing they might storm that place; and the Horse diverted themselves in Skirmishes upon the Meadows near the River by Parties all that day. In the Field *Fairfax* called a Council of War to consider what was to be done; for *Goring* keeping beyond the River, and having the Garrisons of *Ilchester*, *Langport*, *Burrough* and *Bridgewater*, there was no coming on that side; and to attempt a passage where an Enemy stood in good Order, ready to receive them, and it being also a *Morass*, seemed desperate. And on the Right-hand the Bridge at *Evil* being broke down, and a Guard upon it, and on all the Bridges on that side, there seemed no convenient passage nearer than the Head of the River about *Sherborn*, which would prove a tedious and difficult March.

In fine, they resolved to march the greatest part of the Army to *Evil*, and there to force their way, leaving in the mean time a convenient Force of Horse and Foot over-against *Ilchester* and *Load-Bridge*, to Engage *Goring*'s Troops if they should advance on that side: In pursuance of this Resolution *Fairfax* marched to *Evil*, and made that the Head-Quarter for that Night *Goring*'s Horse Retreating to *Ilchester*, and soon after General *Goring* drew his Army towards *Langport*, and quitted *Load-Bridge* and *Ilchester*, leaving the Works undemolished, only setting Fire to the *Bridewell* which they had Fortified, but the Inhabitants soon quench'd, and saved the same.

Upon

Upon notice hereof *Fairfax* declining the Pass at *Evil*, marched back towards *Ilchester* on the same side of the River, and Quartered there that Night, and General *Goring* having detached part of his Army, which 'twas thought might be designed to surprize *Taunton*, hoping to find them now in security; wherefore Maj. Gen. *Massey* with his Brigade of Horse, and some Dragoons were dispatch'd after them to attend their motion; and on *Wednesday*, *July* the *9th*, *Fairfax*'s Army being at *Long-Sutton*, he had advice that *Massey* was near an Engagement, and therefore forthwith Ordered Col. *Montague* to march with 2000 Musquetiers to his Assistance, it being an Inclosed Country, where Foot would be most serviceable. But before they came up, *Massey* had worsted that Party, and taken Nine Colours, and between two and three hundred Horse: In which Action Col. *Cook* was shot through both Cheeks.

The Fight at *Langport*, *July* 10*th*.

All this while General *Goring* standing on his Advantages, as being Master of the Passes on the River, had declined a Fight, being inferior in strength, and waiting to be Recruited with some Forces he expected to Joyn him, but finding they came not, thought fit now to draw off to *Bridgewater*, and sent away most of his Cannon and Carriages thitherwards, but the better to secure his Retreat by keeping the Pass; sent over Musquetiers to Line the Hedges, and brought down two Cannons, and his Horse and Foot to Guard the Pass, and drew up in a posture to receive the Enemy if they should press on: But *Fairfax* drew down his Ordnance to such Places of advantage that they did great Execution on *Goring*'s Army, who stood in good Order on the Hill, about Musquet-shot from the Pass, and forced them to draw off their Ordnance, and their Horse to remove their Ground. And then the Parliament's Foot thunder'd down the Hill, and Charged resolutely from Hedge to Hedge till they had gain'd the Pass: Upon which *Goring*'s Horse drew down towards them, and a Forlorn of about 120 Horse was Ordered by *Fairfax* to advance over the Pass up the Hill, Commanded by Major *Bethel*, who tho' the Lane were very narrow, forced his way, and beat back two Bodies of Horse, being of General *Goring*'s own Brigade, and brake them at Swords Point; but then they Charged him with fresh Troops, and beat him back. At which time Major *Desborough* with his Reserve came up to his Relief, and *Bethel* facing about and Joyning with him, they gave such an effectual Charge as put *Goring*'s Men to a Retreat, and then the Musquetiers coming up with the Horse, some of *Goring*'s Foot began to fly before ever they were Engaged, which put all the rest into confusion, so that *Fairfax*'s Horse had the Chase of them almost to *Bridgewater*, for they quitted *Langport*, and fired it, hoping thereby to stop the pursuit; but *Fairfax*'s Men not regarding that, made their Passage after them between the Flaming-Houses, and the Passes being narrow in many Places, it was very difficult to escape them, so that they took about 1400 Prisoners, and 1200 Horses, many of their Riders deserting them, and getting away over the Meadows and Enclosures. There was thought to be in all about 300 of the King's Party slain. Of the Prisoners of Note taken, were Col. *Slingsby* General of the Ordnance, and Col. *Henningham*, and Lieut. Col *Preston*, Four Captains of Horse, Eleven Lieutenants, Twenty Cornets of Horse, and above Thirty Colours of Horse and Foot; as also the Two Pieces of Cannon before mentioned, and a great Number of Arms. On the Parliament's side were lost Two Reformado Captains,

An. 1645.

The Storming of *Bridgewater.*

tains, Col. *Butler*'s Capt. Lieut. and above fifty others, and Col. *Cook*, and Major *Bethel*, and about Sixteen of his Troop Wounded.

After this Battel the Parliament's Army marched the ſame day five miles to *Middleſay* in the way to *Bridgewater*; and next day the whole Army, Horſe and Foot with the Train, were drawn up in *Weſton-More*, otherwiſe called *Penſy-Pound*, two miles from *Bridgewater*. The Country-men thereabouts roſe in great Numbers, and with their Colours, Clubs, and Arms, appeared upon *Knol-Hill*; which being made known to the General, he with the Lieutenant General and other Officers, marched up to them, who ſeemingly received him with Joy, and in token thereof gave a Volley of Shot; whence, after ſome conference with them, and their Leader, who made a Neutral Speech, the General returned, and the Army that Night went to Quarter, the Head-Quarter that Night being appointed at *Chedſay*, within two miles of *Bridgewater*.

Friday, *July* the 11*th*, Col. *Welden*'s Brigade was commanded on the North-ſide of the Town of *Bridgewater*, towards *Devonſhire*, and the reſt of the Army on this ſide towards *Chedſay*; the Guards being ſet, *Fairfax* and *Cromwell* went to view the Town, which they found to be very ſtrong, ſtanding in a Valley, yet glorying in the Equality of its Level with the Ground about it, there being not a clod that could afford any advantage againſt that Place. The Fortifications regular and ſtrong, the Ditch about it deep, and about thirty foot wide, which for a great part about the Town, was every Tide filled up to the brim with water, the compaſs of Ground within the Line and Works not great, very well Manned, having in it about 1800 Soldiers to defend it: Within the Town was a Caſtle of indifferent ſtrength, there was planted on the ſeveral Batteries about forty Piece of Ordnance; well ſtored with Ammunition and Victuals, being a Magazine for his Majeſty's ſmaller Garriſons thereabouts.

Saturday and *Sunday*, July 12*th* and 13*th*, they continu'd at *Chedſay*; and Col *Okey* having (from that day the Battle was at *Langport*) Beſieged *Burrough* Garriſon with his Dragoons, had the ſame Surrender'd unto him upon Quarter, wherein were a hundred and forty Priſoners, the Officers being promiſed fair uſage.

Deliberations about the manner of taking the Town of *Bridgewater.*

Monday, *July* the 14*th*, a Council of War was called, Great Debate whether to ſtorm the Town, or not, ſome Inclination to it, but no poſitive Reſolution; notwithſtanding Preparations were made, but upon further conſideration were for that time drawn back to their Quarters, and more time being taken, there were eight Long-Bridges, betwixt thirty and forty Foot length, deviſed to be made by Lieut. Gen. *Hammond* the Lieut. Gen. of the Ordnance, which were approved of by the Commanders and Officers, and of very great uſe to the Soldiers in the Storm.

Tueſday, *July* the 15*th*, the General went to *Glaſtenbury*, and returned that Night to the Head-Quarter.

Wedneſday, *July* the 16*th*, a Council of War was again called, and ſeveral Propoſitions were made for the Freeing of the Army and Reduction of the Town. To riſe with their whole Army, and leave the Town unattempted, was conceived to be very prejudicial to their future Progreſs; to ſit down before it (being a place of that ſtrength, if not ſure to carry it) leaving the King at liberty to rally his Forces, ſeemed very hazardous.

The

The Blocking of it up by Forts on both ſides with a part of the Army was propounded; but the difficulty of laying the Bridge over the River through the violence of the Current, (which yet would be neceſſary for the maintaining a Communication between the Quarters on both ſides) hindered the deſign.

It was alſo propounded to attempt it by Approaches; but it was conſidered, that if they ſhould go that way, it would prove very tedious; and if during their ſtay about it any great glut of Rain ſhould have fallen, it would lay them wet in their Trenches, and diſable them from effecting the Buſineſs.

At laſt, a Reſolution *to ſtorm* it was agreed upon, though it carried the greateſt danger with it. For which purpoſe Lots were drawn for every one to take their Poſts, ſome to ſtorm, ſome to be Reſerves, others to alarm, but the time of falling on was not determined till *Friday*, *July* the 19*th*, that it ſhould be on the *Monday* Morning following, towards dawning of the day. The Brigade appointed on that ſide towards *Devon* was commanded by Major General *Maſſey*, only to alarm on that ſide, being the Regiments of Col. *Weldon*, Col. *Ingoldesby*, Col. *Forteſcue*, Col. *Herbert*, Col. *Birch*, and Maj. Gen. *Maſſey*'s own Regiment: The Regiments deſigned on this ſide to ſtorm were the Generals, Col. *Pickering*'s, Col. *Montague*'s, Sir *Hardreſs Waller*'s, the Regiment commanded by Lieut. Col. *Pride*, Col. *Rainsborough* and Col. *Hammond*'s. The General rode round about the Town this day, to ſee if all things were in Readineſs for the *Storm*, that both ſides might fall on together.

Agreed upon to ſtorm it.

On the Lord's-day, *July* the 20*th*, after both Sermons, the Drums beat, the Army was drawn out into the Field; and as ſoon as it grew dark, the Soldiers drew every one to their ſeveral Poſts allotted them to ſtorm; the Sign when the Storm was to begin, was, the ſhooting off three Pieces of Ordnance on this ſide, which the Forces on the other ſide were to take notice of, and to fall on the ſame Inſtant. Accordingly on *Monday*, *July* the 22*d*, about Two of the Clock in the Morning, the Storm began on this ſide of the Town, (the Forces on the other ſide only giving an Alarm which kept the Garriſon upon the Line;) the Forlorn-hope was led on by Lieut. Col. *Hewſon*, and ſeconded by the General's Regiment, commanded by Lieut. Col. *Jackſon*; and the Major General's commanded by Lieut. Col. *Aſhfield*. The Bridges prepared to paſs over the Moat were quickly brought to the Ditch, and thrown in, on which the Soldiers with little loſs got over the deep Ditch, and mounted the Works, (notwithſtanding the great number of ſmall ſhot that ſhowr'd about them) beat them from their Ordnance, turn'd them upon the Town, and let down their Draw-Bridge, which made many of their Foot cry Quarter; Captain *Rainolds*, who commanded the Forlorn-hope of Horſe, immediately enter'd, and ſcoured the Streets of that part of the Town ſo gained, called *Eaſtover*, to the Draw-Bride over the main Ditch, leading to the ſecond Town; whereupon the reſt of the Officers and Solders that were in a Body, and yet annoyed the Aſſailants in that part of the Town which they had won, threw down their Arms, and had Quarter given them; (there were about ſix hundred taken Priſoners, Officers and Soldiers.) But the King's Party in the ſecond Town inſtantly made Barricadoes at the Gate upon the Bridge, and drew up the Bridge that divided one part of the Town from the other. *Fairfax*'s Forces had not been two Hours in

An. 1645. the firſt Town, but they were pelted with Granadoes and Slugs of hot Iron, which Fired it on both ſides, which by the next Morning burnt that part of the Town, (of goodly Buildings) down to the Ground, except three or four Houſes, yet Major *Covell* ſtood all that while in the midſt of the Street, which was both ſides on fire, keeping Guards to prevent a Sally. Capt. *Sampſon* in that remarkable Action received a ſhot.

The General hoping that the Storm might have wrought upon the Soldiers, and the Fire upon the Townſmen, ſo far that they would have hearkened to Treaty, renewed his Summons, which the Governor ſtoutly refuſed; whereupon *Tueſday, July* the 22*d*, it was reſolved to Alarm the Town by Forces on this ſide, and to ſtorm it on the other ſide, at Two of the Clock the next Morning; for which purpoſe the General was there in Perſon to ſee it done, though it was held fit on After-Conſiderations, only to Alarm on both ſides, which much amazed the Garriſon, and kept them waking all that Night. Alſo about Two of the Clock in the Afternoon, the General ſent to the Governor a Trumpet with a Meſſage to this purpoſe: That his denial of fair Terms had wrought in him no other thoughts, but of compaſſion towards thoſe that were innocent, who otherwiſe might ſuffer; wherefore he ſignified that all Women and Children that would accept of this liberty, ſhould come forth of the Town by Four of the Clock in the Afternoon: Whereupon the Governor *Windham*'s Lady ſaid to the Meſſenger, Tell thy General, (laying her hand upon her Breaſts, which ſhe ſaid gave Prince *Charles* Suck) we will hold it out to the laſt. But the next day the Governor's Lady and divers others, were of another opinion, and came out when the Cannon play'd fiercely into the Town, and Granadoes were ſhot, and Slugs of hot Iron in abundance, whereby ſeveral Houſes in that Town were fired, and the Wind being high increaſed the Flame, the Townſmen within were in great diſtraction, every Man imployed how to ſave his Houſe and Goods, the Garriſon was in great amazement, ſo that the Governor thought fit to ſend forth Mr. *Tho. Elliot* to know the General's Terms, who refuſed to admit of any Treaty at all: However, they offered theſe Particulars.

Firſt, That the Governor with all the Officers and Gentlemen that were in the Town, with their Servants, Horſes, Swords, Piſtols and Cloak-Bags, might march with a ſafe Conduct to *Exeter*.

Secondly, That all the Soldiers might likewiſe march to *Exeter*, leaving their Arms.

Thirdly, That all Clergy-men in the Town, and Townſmen might have liberty to march with them, or abide at home.

Edmund Windham.

Whereunto the General returned theſe:

1. To all, their Lives.

2. To the Inhabitants, their Liberty and Freedom from Plunder.

3. Neither Officers nor Soldiers to be Plundered of the Clothes they had upon them.

4. The Gentlemen to be diſpoſed of as the Parliament ſhould appoint, and in the mean time to have Civil Uſage.

Six Hoſtages to be ſent, and an Anſwer in a Quarter of an Hour.

Tho. Fairfax.

The

The Governour returned Anſwer, That he found thoſe Propoſitions ſo ill reſented, both by the Gentlemen and Soldiers, that he could not accept of them. 21 *Caroli.*

Fairfax thereupon gave Order to the Soldiers to ſtand upon their Guards, and go to their Duties. Mr. *Elliot* deſired nothing might be done till he returned, leaving Sir *John Heal* as Caution, which was agreed to: And he preſently returned with an Anſwer of accepting the laſt Articles; only added for himſelf, that he might have liberty to carry the News to the King upon his Parole.

Thereupon the Hoſtages were ſent, *viz.* from the Town Sir *John Heal*, Sir *Hugh Windham*, Mr. *Waldron*, Mr. *Warr*, Mr. *Siddingham*, Mr. *Speak*, and others ſent by *Fairfax* into the Town to them.

They were to deliver the Town, and yield themſelves Priſoners the next Morning by Eight of the Clock; and all that Night they employ'd themſelves to quench the Fire in the Town. The Loſs of Men in the Storm were not many; Mr. *Martin*, an Officer in the Train, had his Leg ſhot, and afterwards cut off, whereof he died.

Wedneſday, *July* 23. The Town was ſurrendered, about 1000 Officers and Soldiers, beſides Gentlemen and Clergy, marched out as Priſoners. There were taken in the Town about forty four Barrels of Powder, 1500 Arms, forty-four Pieces of Ordnance, 400 weight of Match, Goods of great value, that had been carried for ſecurity into that place, and were ſeiſed by the Commiſſioners of the Parliament and ſold; and three Shillings a Man raiſed upon the Sale, to be beſtowed as a Reward upon the common Soldiers for their Service in ſtorming of the Place.

The taking this Town was of conſiderable Advantage to the Parliament, for by it a Line of Garriſons was drawn over that *Iſthmus* of Ground between the *South Sea* and *Severn*, by *Bridgewater*, *Taunton*, *Lime*, and *Langport*, it being from *Bridgewater* to *Lime* little above twenty miles, by which the Counties of *Devon* and *Cornwall*, then wholly at the King's Devotion, except *Plymouth*, were in a manner block'd up from all intercourſe with the *Eaſtern* Parts: And likewiſe this being taken, their Army was at liberty for further Exploits.

Friday, *July* 25. A Council of War was called, to adviſe, whether to march up *Weſt* to General *Goring*, or to ſtay in the *Eaſtern* Parts to curb the *Club-men*; and in favour of this latter, it was conſidered, that the Army wanted Ammunition to march far *Weſt*, to undertake any conſiderable Action; and there being alſo ſeveral Garriſons of the King's, by which the *Club-men* were encouraged to ſhew themſelves. It was therefore inclined unto by ſome, that the Army ſhould firſt make it their buſineſs to reduce the *Club-men*, and to that end, to attempt the taking, or at leaſt the blockading of that Garriſon, which moſt countenanced them, *viz*, *Sherborn-Calſte*, where Sir *Lewis Dives* an active and reſolute Soldier was Commander in Chief; but the determination of the Council of War was, notwithſtanding to advance rather more *Weſt*, to proſecute this laſt Succeſs at *Langport* and *Bridgewater*, and hinder *Goring* from rallying his Forces, or raiſing any conſiderable Body, leaving ſome Force to attend Prince *Rupert*'s motion about *Briſtol*, and to diſturb the *Club-men* if they frequented meetings as formerly. A March being thus reſolv'd on, it was accordingly undertaken on the

An. 1645. Morrow, whence the Army marched to *Martock*, ten miles, where resting the *Lord's-day*, there was a Thanksgiving for the Success in the taking of *Bridgewater*. The General, tho' he accounted it his greatest safety, to act according to the advice of his Council of War, yet was at this time much troubled in his own thoughts concerning his March further *West*, before *Bath* and *Sherborn*, and the *Club-men* were reduc'd, reckoning it also a Service of Importance to take in *Bath*, in order to the straitening of *Bristol*, and hindering Prince *Rupert* from raising any considerable Force in those Parts.

Whereupon his Excellency took a Resolution to march back, and accordingly came to *Wells* that Night, with part of the Army and Train, being fourteen miles, and sent a Brigade of Horse and Foot unto *Sherborn*, under the Command of Colonel *Pickering*, to face that Garrison, and if there were hopes to reduce it, to sit down before it, in order to a Siege. The Horse-quarters this Night were nearer unto *Bath*, and more Forces were sent to get between *Bath* and *Bristol*; having Intelligence that their Distractions were such in *Bath*, the Townsmen not willing to bear Arms, nor yet to receive Soldiers from *Bristol*, which was then infected, and the Soldiers too few to keep it, so that the Governour Sir *Tho. Bridges* had quitted it, had not Prince *Rupert* sent about 100 Men to him with positive Orders to stay; that they would easily be driven to quit it: And in the mean time the General stay'd at *Wells*.

Bath taken.

Tuesday the 29*th*, Col. *Rich* faced *Bath* with Horse and Dragoons, summoned the Town, but the Governour refused to Surrender. Towards Evening some Dragoons commanded by Col. *Okey*, were drawn near the Bridge, and crept on their Bellies over it to the Gate, seised on the small end of the Guards Musquets, which they put through the Loop-holes of the Gate, taking hold of the Barrels of the Musquets, and cried to them within to take Quarter; whereupon they ran to their Work which flankered the Bridge, and left their Musquets behind them. The Assailants on this Advantage instantly fired the Gate, and became Masters of the Bridge, upon which the Deputy-Governour sent for a Parley, and the Town was yielded upon Articles, making the common Soldiers, who were about 140, Prisoners, and having Conditions for the Officers to march away to what Garrison they pleased. There were found in the Town six Pieces of Ordnance, four hundred Arms, twelve Barrels of Powder; the Works, besides the Wall of the City, strong and tenable. Prince *Rupert* was advanced with a Party of fifteen hundred Horse and Foot from *Bristol*, within four miles to relieve it, but coming too late retreated.

The motions of *Fairfax's* Army in the *West*.

Wednesday, *July* the 30*th*, the Army was drawn up to *Mendeep* Hills, with intention to march to *Bath*, but upon Intelligence the Horse and Dragoons alone had taken the Town, *Fairfax* sent back the Army to *Wells*, marching only with two Regiments of Foot to *Bath* (which he intended to leave there for the security of that place, and parts thereabouts.) The General Quartered there that Night, and settled things for the safety of that Place, and in the Afternoon following returned to *Wells*, leaving two Regiments at *Bath*.

Friday, *August* the 1*st*, the Army marched from *Wells* to *Queen-Camel*, where the Head-Quarter was that Night, but the General himself went with a few Horse to *Sherborn*, viewing the Works and Castle,

Caftle, and Quartered there that Night. And on *Saturday*, *Auguft* the 2*d*, the General and Lieut. Gen. rode again to the *Lodge*, and upon a fecond view and obfervation, conceiving the Place reducible, Guards were appointed nearer, and Orders given for a clofe Siege. *21 Caroli.*

That Day Intelligence came that the *Club-men* of three Counties, *viz. Dorfet*, *Wilts*, and *Somerfet*, were to meet at *Shaftsbury*, and might be furprized. Whereupon Col. *Fleetwood* was commanded forth with a good Party of Horfe, who accordingly encompaffed them in the Town with about 1000 Horfe, and took about fifty, whereof Mr. *Hollis*, *Carey*, *Young*, *Cradock*, and Dr. *Goche* were the Chief, who being brought Prifoners by a Guard of Horfe, were after the Reducement of *Sherborn*, fent to *London* with other Prifoners.

On the *Lord's-day*, *Aug.* 3. News came that all the Country of *Wilts* and *Dorfet*, and part of *Somerfet* were up in Arms, and would have a Rendezvous of 10000 Men at leaft, to fetch off their Leaders; but privately *Fairfax* underftood it was to interrupt his Siege, and to hinder Provifions from coming to the Leaguer; giving out withal, that General *Goring* with his Army was coming out of the *Weft* to relieve *Sherborn.*

On *Monday*, *Aug.* 4. L. Gen. *Cromwell* having Intelligence of fome of their Places of Rendezvous, for their feveral Divifions, went forth with a Party of Horfe to meet with them, and towards *Shaftsbury* difcovered fome Colours upon the top of an high Hill, full of Wood and almoft inacceffible; a Lieutenant with a fmall Party was fent to them to know their meaning, and to acquaint them that the Lieut. Gen. of the Army was there. Whereupon one Mr. *Newman* one of their Leaders thought fit to come down, and told *Cromwell* their Intent was to know why the Gentlemen were taken at *Shaftsbury* on *Saturday?* The Lieut. Gen. return'd this Anfwer, That he held himfelf not bound to give him or them an account: What was done was by Authority, and they that did it were not refponfible to them that had none: But not to leave them wholly unfatisfied, he told him that thofe Perfons fo met, had been the Occafions and Stirrers of many Tumultuous and Unlawful Meetings, for which they were to be try'd by Law; which Tryal by them ought not to be queftioned, or interrupted. Mr. *Newman* defired to go up to return the Anfwer. *Cromwell* with a fmall Party went with him, and had fome Conference with the People to this purpofe: That whereas they pretended to meet there to fave their Goods, they took a very ill Courfe for that, fince to leave their Houfes was the way to lofe their Goods; and it was offered them, that Juftice fhould be done upon any who offered them violence: And as for the Gentlemen taken at *Shaftsbury*, *Cromwell* told them it was only to anfwer fome things they were accufed of, which they had done contrary to Law, and the Peace of the Kingdom. Herewith they feeming to be well fatisfied, promifed to return to their Houfes, and accordingly did fo.

Cromwell's Interview with the Weftern Men in Arms, and fatisfies them.

Thefe being thus quietly fent home, *Cromwell* advanced further to a meeting of a greater Number, *viz.* about 4000, who betook themfelves to *Hambleton* Hill, near *Shrawton*; which had been an Old *Roman* Work, deeply Trenched: The Lieut. Gen. fent thither a Lieutenant with a Party of Horfe, to require an account of their meeting? He was anfwered with half a dozen of Shot, and could get

Cromwell meets another body of 4000 Clubmen near Shrawton.

An. 1645. get no other anſwer; thereupon one Mr. *Lee*, who upon *Cromwell*'s approach came from them, was ſent in, requiring them to ſubmit to the Power and Protection of the Parliament, and to lay down their Arms; they refuſed to leave their Arms, and gave ſome more ſhots. *Cromwell* ſent Mr. *Lee* again, to tell them, that if they would not lay down their Arms, he would fall upon them.

And attacks them, and diſperſes them.

But they ſtill refuſing, Order was given to the General's Troop to fall on, who did ſo, and received a Repulſe, ſome kill'd, eight or nine wounded, and ſix or ſeven Horſes ſlain; for the *Club-men* ſhot briſkly from the Bank of the old Work, and kept the narrow Paſſage with Muſquets, and other Weapons: But then Major *Desborough* with the General's Regiment, went round about a Ledge of the Hill, and made a hard ſhift to climb up and enter on their Rear; which they no ſooner diſcerned, but after a ſhort diſpute they ran, and the Paſſage formerly aſſaulted was opened, and all the *Club-men* diſperſed, and diſarmed, ſome ſlain, many wounded, the reſt ſlid and tumbled down that ſteep Hill, with great hazard; there were brought away about 400 of them to *Shrawton*, of which near 200 were wounded in this Skirmiſh; Capt. *Paltiſon* was ſore hurt, of which afterward he died, and about twelve more. There were taken about twelve Colours, the Motto of one of them was thus: *If you offer to Plunder our Cattle, be aſſured we will bid you Battel.*

The greater part of theſe Priſoners after Examination touching their chief Inſtigators, Deſigns and Correſpondencies, were, upon their Parole never to intermeddle any more in that kind, diſmiſſed and ſent home.

***Cromwell* returns to the Siege of *Sherborn*.**

And ſo *Cromwell* return'd to the Leaguer before *Sherborn*, *Aug.* 5. on which Day a commanded Party crept under the ſhelter of the Stone-wall, cloſe by the Caſtle, and gained the Hay-Stack, within a Stone's-caſt of their Works.

Wedneſday, *Aug.* 6. The Beſieged making a new Work to plant Ordnance to beat them from that Hay-Stack, were themſelves beat off, and their Cannon diſmounted. But *Fairfax* had in that Service four Captains wounded, and one ſlain. And now all things were in a preparation to Storm; the Soldiers had every one his Faggot; another Summons was ſent unto the Caſtle to ſurrender, but a denial was returned; whereupon a Council of War was called, and it was reſolved, That ſince a whole Cannon was upon the way from *Portſmouth*, and that from *Mendeep* Hills might be had excellent Miners, therefore they would proceed in Approaches and Batteries, being well inform'd that the Ground whereon the Caſtle ſtood was Mineable.

This Day towards Evening, Capt. *Horſey*, another of Col. *Rainſborough*'s Officers, was ſhot dead in the Place with a Birding-Piece, from one of the Towers, who with Capt. Lieut. *Flemming* of Col. *Rainsborough*'s Regiment (who was ſhot before) were the next day buried after a martial Manner in the Church at *Sherborn*, being the Place where Capt. *Horſey*'s Anceſtors were Intombed.

Very freely did the Soldiers work in the Mines and Galleries, and making of Batteries, every Man rewarded Twelve-pence a-piece for the Day, and as much for the Night, for the Service was hot and hazardous.

By *Monday*, *Aug.* 11. The whole Cannon, and Money for the Army long expected, came to the Head-Quarter. And *Fairfax* had Intelli-

Intelligence, that Maj. Gen. *Massey*'s Horse, who were Quartered near *Taunton* to interrupt General *Goring*'s Forces in case they advanced this way, had fallen on some of his Horse and taken several Prisoners. 21 *Caroli.*

Tuesday, August the 12*th*, The *Mendeep* Miners came and were set to work; the Garrison threw fiery Faggots over those Parts of the Wall where the Miners were, and where a Bridge likewise was making (over a little Rivulet) which Bridge was in part burnt thereby, but the Soldiers quenched it, and a Message was sent to Sir *Lewis Dives*, That if he pleas'd to send out his Lady, or any other Women, he might: Sir *Lewis* acknowledged the Favour, seemed to incline to accept of it, but gave no positive answer, expressing withal his Resolution (Soldier-like) to hold out to the last.

Batteries raised.

Wednesday, August the 13*th*, The Cannon and Demi-cannon were planted on the New Battery, where another Chief Gunner of *Fairfax*'s was slain, besides one *Jenkins*, another Gunner, was shot from the Tower. The Miners wrought within two yards of the Wall, where the Rock appearing, 'twas thought it would have given more interruption than it did, but it proving but a soft Stone, was easily wrought through.

Thursday, August the 14*th*, The Great Guns began to play about Eleven of the Clock, and before Six had made a Breach in the Wall, that ten a breast might enter, and had beaten down one of the Towers, which much disheartned those within. On this occasion the great adventurousness of many of the Soldiers comes fitly to be remembred, who, (whilst their Cannon play'd hard upon the Castle and wanted shot) fetcht off the Bullets (that had been shot) from under the very Walls, and had Six-pence apiece for every Bullet they so brought off. After the Breach so made, *Fairfax* sent a third Summons to surrender the Castle, or to expect Extremity: Which Message being stoutly delivered by the Drummer, he said, He deserved to be hanged. And sent an Answer to this purpose: That the Language was so far differing from what he had formerly received, that he could not believe that it came from the same hand, but said, that he would not lose his Honour to save his Life: And if the last happen'd, he should think it well bestow'd in his Majesty's Service.

But by this time the Approaches were so near, that they within could have no use of their Musquets, only threw down Stones: And this day the Besiegers Soldiers upon the Guard, (Commanded then by Col. *Ingoldesby*) gained the Tower in the corner of the Castle, out of which their Musqueteers play'd into the Castle; and so near did they venture to the Walls from the Gallery, that they pulled the Wool out of the Wool-Sacks that lay on the Works, which caused that strong Guards were set by the Garrison, and in the Night great Fires were made in the Castle to discover the Enemies Approaches and Mines.

Sherborn Capitulates.

Friday, August the 15*th*, At Two in the Morning the Governour sent out a Drummer with a Message, that he was willing to surrender upon Honourable Terms. Answer was returned, no Terms but *Quarter*, seeing he had slipt and slighted the opportunity; and he was not to expect that, except he render'd speedily. Immediately the General went in Person to the Works, and viewed the Castle within over the Wall, and gave Orders for all things to be prepared for a Storm, every Soldier to cut his fresh Faggot, whereby

in

An. 1645. in two Hours they had above 6000 Faggots, with which they were to fill the Trenches, and to throw Stones and Rubbish upon them. Whilst this was in doing, the Soldiers that had before gained one Tower, recovered also another; and out of the same Towers did great Execution; (Sir *Lewis Dives* his Secretary being slain by a shot from thence) and soon after inforc'd them from their Guns within, which they had planted to oppose the Entrance at the Breach. The Miners had by this time wrought quite through the Foundation of the Wall, and the Foot play'd so hard from the Breach, that Sir *Lewis Dives*'s Men were forced to quit the great Court within the Castle; which much dishearten'd them, especially seeing *Fairfax*'s Soldiers coming forward with Faggots on their Backs to fall on, some of them before their time appointed leaping over the Works, all which concurring, they within hung out a White Flag, had no Power to make Opposition, sent a Drum for to crave *Quarter*, but before he could get out, and return, a great part of *Fairfax*'s Foot were enter'd, they within had thrown down their Arms, and cryed for *Quarter*, which was given, but stript they were very severely, all except Sir *Lewis Dives* and his Lady, and some few more, and so *Fairfax* became Master of the Castle, and all within it. The Soldiers finding Plunder of great Value, the taking of which in a disorderly manner could not then be prevented. There was taken about four hundred Prisoners in the Castle, besides Sir *Lewis Dives* the Governour, Col. *Giles Strangeways*, formerly a Member of Parliament, Sir *John Walcot*, Col. *Thornhill*, and others of Quality; Eighteen Pieces of Ordnance, and a Mortar-Piece.

The Soldiers Spoil lasted all that day, and most part of the Night; and on *Saturday*, *August* the 16*th*, being Market-day, with the Booty they had got, kept a great Market to the Country, who bought the Goods of them. And all this Day and the next was spent in ordering the Disposal of Prisoners, and in considering what to do with the Garrison, which not above two or three days after was ordered to be slighted.

Sherborn being thus fallen into the Parliament's Power, their Army on the Reasons mentioned in *Cromwell*'s Letter herein after recited, resolv'd next to Invest *Bristol*, where Prince *Rupert* then was with a considerable Garrison. Accordingly Orders were given, and *Fairfax*'s Army on *August* the 18*th* marched to Castle-*Carey*: Only a Party was detached forth under Col. *Rainsborough*, consisting of his own and Col. *Hammond*'s Regiment, and two Pieces of Ordnance to sit down before *Nunney*-Castle, whither the next day *Fairfax* went himself to view it, and found it to be a very strong Place. The Head-Quarter was that Night at *Shipton-Mallet*, but five miles from *Carew*, far enough for the Train, which was four miles behind from the Quarters the Night before. But to expedite what might be this Design against *Bristol*, 2000 Horse and Dragoons were sent under the Command of Commissary General *Ireton*, to block it up. The next Day the Army marched to *Chue* nine miles; Messengers were sent to the Vice-Admiral, Captain *Moulton*, riding about *Milford-haven*, to send Ships into *King's-Road*, to Block up *Bristol* by Sea. In the mean time, Prince *Rupert* did not imagin their Forces so near, or that they had any design upon

The General views *Nunney*-Castle, and is Surrendered.

upon *Bristol*. And by a Trumpeter that came with a Message from thence, they seemed to be so far from a belief thereof, that he said he did not expect to find them on that side *Sherborn*; and when he met their Horse, he took them to be the King's. That Night there was a strong Party of Horse, and one Regiment of Foot dispos'd at *Hannam*, within three miles of *Bristol*, on *Gloucestershire* side, by whom the Prince was Alarmed. 21 *Caroli.*

Thursday, August 21. In the Morning, *Fairfax* receiv'd Intelligence of the Surrender of *Nunney*-Castle to Col. *Rainsborough*, upon Condition to have liberty to go to their own Houses. By reason of the Train coming in so late, the Army rested that Day at *Chue*, save that another Party of Horse and Foot advanced towards *Bedminster*, upon Intelligence that the Prince intended to break through with his Horse, and joyn with General *Goring*, with which Party the General and Lieutenant General went and viewed the Town, and appointed Guards and Quarters on the West-side of the River, and Quartered himself at *Kenisome* that Night, where divers Lords sent for Passes to come out of the City and go beyond Sea, but were deny'd. It being a received Opinion, That Persons of Quality and great Estate, in a besieged Town, rather incline to a timely yielding, than hazardous defending thereof, when no Relief is at hand.

Fairfax advances towards Bedminster.

Friday 22. There was a General Rendezvous of Horse, and all that Day was spent in setting of Guards on *Somersetshire* side, where the Country-men maintained a Passage at *Clyfton*, the Head-Quarter being remov'd that Night to *Hannam*.

Fairfax marches towards *Bristol*, and orders matter for the Besieging of it.

Saturday 23. The General and Lieutenant-General employed the whole Day in the setling of Quarters and Guards on the other side of *Bristol*. This Day the City-Cannon play'd from the great Fort, and *Pryors*-Fort, but hurt none but one Dragoon, who had his Thigh shot off. Also a Sally was made with a Party of Horse, who were beaten in again, and Sir *Richard Crane*, that led them, mortally wounded, and presently after died.

On the *Lord's-day, August* 24. The Besieged about Noon sallied out again at the Sally-Port near *Pryor*-Hill Fort, in a full Career, and were upon the Enemies Dragooners on the sudden; yet by coming on of Horse, were beaten back again, as also their Foot were by the Foot of Col. *Rainsborough*'s Brigade, made to Retreat in disorder.

Monday, August 25. Warrants were Issued out by *Fairfax* to Sir *John Horner* High Sheriff of the County of *Somerset*, to raise the Power of the County, which was much promoted by the Interest and Endeavours of Mr. *Ash* and Mr. *Moor*, two Members of the House of Commons. This Day the Parliament's Army had Intelligence, that General *Goring*, then about *Collumpton* in *Devon*, did seem to draw to a Rendezvous, as if he intended a March to interrupt the Siege, but Major General *Massey*'s Brigade of Horse were Quarter'd not far from *Taunton*, in such an advantagious Posture, that they could not move, but he might Flank them, and interrupt their Motion, whilst *Fairfax*'s Horse might draw off to meet them, in case they should attempt the forementioned Design.

Tuesday, August 26. Four a Clock in the Morning, a third Sally was made on *Somerset* side on a Post of Col. *Welden*'s Brigade at *Bed-*

Sallies from the Town.

An. 1645. *Bedminster*, and through the negligence of the Officer that had then the Command there, they took ten, and kill'd as many. But the same day, Capt. *Molleneux*, (Capt. Lieutenant to Col. *Butler*) and with him another stout Soldier, perceiving three Gallant Cavaliers under their Works (whom afterward they found to be Sir *Bernard Astley*, Col. *Daniel*, and a third Man) rode up to them, ask'd them, Who they were for? who answering, For the King: And discharging upon them, the others reply'd with their Pistols; and after some Bickering took Sir *Bernard Astley*, who died within few days of his Wounds; but Col. *Daniel*, tho' dangerously wounded escaped.

Wednesday, *August* 27. The Garrison drew out the fourth time, about the close of the Evening, with intention to fall on the Guards; but finding their Design discovered, drew back to their Works.

The Siege of *Bristol* continues.

Thursday, *August* 28. Prince *Rupert* sent out those Foot which were taken Prisoners on *Somerset*-side, being in Number ten, with a Trumpet, propounding also an Exchange for Sir *Bernard Astley*, but the Exchange was not hearken'd to. This Day *Fairfax* had Intelligence of the King's Party having Plunder'd *Huntington*, his Majesty having happily escaped the *Scotch* and Northern Horse, out of *Nottinghamshire*. Mean while the Foot at *Portshead Point* that had been four Days besieged by Lieut. Col. *Kempson*, of Col. *Welden*'s Regiment, with a Party of Foot, was with six Pieces of Ordnance surrender'd, whereby the Passage into *King's-Road* with Ships was made open.

Friday, *August* 29. A Fast was kept through the Army, which the Garrison endeavoured to interrupt by a Sally about Noon-time, upon their Quarters near *Lawford*'s-Gate, where they took some Prisoners. And now it was propounded whether to Storm *Bristol* or not? The Debate was long, Opinions various; however, it was agreed that all things should be prepared in Order to a Storm, and afterwards to take into further Consideration, whether to Storm or to Entrench the Leaguer. In the midst of these thoughts and resolutions, Tidings were brought the Army of the Defeat given by *Montross* to the *Scots*, and that he was marched to *Edenborough* in pursuit thereof; and that the King was now advanced to *Bedford* unfollowed, and was expected speedily to raise the Siege at *Bristol*; and towards Evening the Intelligence was confirmed by Letters from rhe Committee of both Kingdoms, of the King's speedy March towards *Oxford*, and probably to these Parts. At the same time *Fairfax* had Advice that General *Goring* in the *West* advanced his Quarters nearer *Chard*, and as it was verily thought, intended a Conjunction with the King.

On the *Lord's-day*, *August* 31. Capt. *Moulton*, Admiral for the *Irish* Coasts (who was now come into *Severn*) came from Aboard the Ship to General *Fairfax*, expressed much readiness to assist in Storming of the City (if it were so determined) with his Seamen. A Debate was then had concerning that Affair, and what might be done by Water with the assistance of the Seamen. General *Goring*'s Letters from *Exeter* to Secretary *Nichols*, bearing Date *August* 25. were this day intercepted; wherein he signified, that in three Weeks time he would be ready to Interrupt *Fairfax* in his Siege.

Monday

21 *Caroli.*

Monday, Sept. 1. the Weather wet and misty, about Twelve at Noon Prince *Rupert* with 1000 Horse and 600 Foot Sallied out the sixth time in a full Career, and came upon *Fairfax*'s Horse-Guards with much Fierceness and Gallantry; but the Horse instantly came up, and with the Assistance of the Foot of Col. *Rainsborough*'s Brigade forced them to a Retreat: On the Parliament's side was lost in that Skirmish Capt *Guilliams*, a Captain of Horse; Col. *Okey* a Colonel of Dragoons (it being in the Mist) was taken Prisoner. At that time further Advertisements confirm'd the King's advance from *Oxford* towards *Bristol.* Whereupon Orders were given for all the Colonels to view the Line and Works, and for the Soldiers to make Faggots, and all fitting Preparations for a Storm.

The Besieged Sally the sixth time and are repulsed.

Tuesday, Sept. 2. A Council of War being called, and all the Colonels present; after a long Debate, Whether to Storm or no? it was put to the Question, and resolved in the Affirmative; and for the manner of the Storm, it was referred to a Committee of the Colonels of the Army, to present in Writing to the General the next Morning to be Debated at a General Council of War: Accordingly *Wednesday, Sept.* 3. the manner of the Storm was presented in Writing to the General, which was proposed thus: Colonel *Welden* with his Brigade, consisting of the four Regiments that were at *Taunton*, (*viz.* his own, Col. *Ingolsby*'s, Col. *Fortescue*'s, and Col. *Herbert*'s Regiments, whose Posts were to make good *Somersetshire*-side) to Storm in three Places, *viz.* 200 Men in the middle, 200 on each side, as *Forlorn-hopes*; twenty Ladders to each Place, two Men to carry each Ladder, and to have Five Shillings apiece; two Serjeants that attended the Service of the Ladder, to have twenty Shillings a Man: each Musquetier that followed the Ladder, to carry a Faggot, a Serjeant to Command them, and to have the same Reward: Twelve Files of Men with Fire-Arms and Pikes to follow the Ladders to each Place where the Storm was to be; those to be Commanded each by a Captain, and a Lieutenant: The Lieutenant to go before with five Files, the Captain to second him with the other seven Files; the 200 Men that were appointed to second the Storm, to be furnish'd each Party of them with twenty Pioneers, who were to march in their Reer; the 200 Men, each to be Commanded by a Field-Officer, and the Pioneers each by a Serjeant: (Those Pioneers were to throw down the Line, and make way for the Horse:) the Party that was to make good the Line, to possess the Guns, and turn them: A Gentleman of the Ordnance, Gunners, and Matrosses, to enter with the Parties: The Draw-Bridge to be let down; two Regiments and a half to Storm in after the Foot, if way were made. Much after this manner were the General's Brigade, under Col. *Montague*'s Command, consisting of the General's Col. *Montague*'s, Col. *Pickering*, and Sir *Hardress Waller*'s Regiments, to Storm on both sides of *Lawford*'s Gate, both to the River *Avon*, and to the lesser River *Froom*: The Bridge over *Froom* to be made good against Horse with Pikes, or to break it down. Col *Rainsborough*'s Brigade, consisting of his own, Major Gen. *Skippon*'s, Col. *Hammond*'s, Col, *Birch*'s, and Lieutenant Col. *Pride*'s Regiments, to Storm on this side the River *Froom*, beginning on the Right-hand of the Sally-Port up to *Pryor*'s-Hill Fort, and to Storm the Fort it self, as the main business;

By a Council it was resolved to Storm *Bristol*

An. 1645.

busineſs; 200 of this Brigade to go up in Boats with the Seamen to Storm *Waterfort* (if it were to be attempted) one Regiment of Horſe, and a Regiment of Foot, to be moving up and down in the Cloſes before the Royal Fort, and to ply hard upon it, to alarm it, with a Field-Officer to Command them. The Regiment of Dragoons, with two Regiments of Horſe, to carry Ladders with them, and to attempt the Line and Works by *Clypton* and *Waſhington*'s Breach.

The manner of Storming reſolved on.

The manner of the Storm being thus agreed on, the Soldiers were drawn out to try their Inclinations; and the General to make good his Promiſe to reward them for the Service of *Bridgewater*, ordered them immediately to receive Six Shillings a Man, which by the Commiſſioners of Parliament was forthwith paid unto them, and which put a great Obligation upon the Soldiers.

At this Council of War it was alſo agreed, that a Letter ſhould be written, and ſubſcribed by the General, and all the Officers, to General *Leven*, to expreſs how ſenſible they were of the Loſſes their Forces had received in *Scotland* by *Montroſs*; (the Particulars of which ſhall be given in the particular Chapter of the Affairs of that Kingdom) and their willingneſs to ſerve them, if need were, for the ſetling of their Nation in Peace, ſo ſoon as the condition of this Kingdom could ſpare them. The Copy of which Letter followeth in theſe words:

May it pleaſe your Excellency and the reſt Honoured Friends, and Beloved Brethren,

A Letter from *Fairfax*'s Army to the *Scot's* Army.

WE have, not without much grief, received the ſad report of your Affairs in *Scotland*; how far God, for his beſt and ſecret Ends, hath been pleaſed to ſuffer the Enemy to prevail there: And are (we ſpeak unfeignedly) not leſs ſenſible of your evils, than you have been and are of ours, nor than we are of our own. And the greater cauſe we have of Sympathy with you, the more do our Bowels earn towards you, becauſe whatever you now ſuffer your ſelves in your own Kingdom, are chiefly occaſioned by your aſſiſting us in ours, againſt the Power that was riſen up againſt the Lord himſelf, and his Anointed ones. Wherefore we cannot forget your Labour of Love, but thought good at this ſeaſon even amongſt our many occaſions, to let you know, that when the Affairs of this Kingdom will poſſibly diſpence with us, the Parliament allowing, and you accepting of our Aſſiſtance, we ſhall be moſt willing, if need ſo require to help and ſerve you faithfully in your own Kingdom, and to engage our ſelves to ſuppreſs the Enemy there, and to eſtabliſh you again in Peace. In the mean time we ſhall endeavour to help you by our Prayers, and to wreſtle with God, for one Bleſſing of God upon both Nations; between whom, beſides many other ſtrong Relations and Engagements we hope the Unity of Spirit ſhall be the ſureſt bond of Peace. And this whatever Suggeſtions or Jealouſies may have been to the contrary, we deſire you would believe, as you ſhall ever really find to proceed from integrity of heart, a ſenſe of your Sufferings, and a full purpoſe to anſwer any Call of God to your aſſiſtance: As become,

Your Chriſtian Friends and Servants in the Lord,

Thomas Fairfax, Oliver Cromwell, Thomas Hammond, Henry Ireton, Edward Mountague, Richard Forteſcue, Richard Ingolsby, John Pickering, Hardreſs Waller, William Herbert, Robert Hammond, James Gray, Thomas Pride, Robert Pye, Thomas Rainsborough, Thomas Sheffield, Charles Fleetwood, Ralph Welden, John Raymond, Leon. Watſon, Arthur Evelin, Richard Dean, Thomas Jackſon, John Desborough, Chriſtopher Bethel.

The

The Report concerning the Storm being made unto the Council of War, and fully agreed unto, the Cannon-Baskets were Ordered to be filled, Seamen and Boats sent for. 21 *Caroli.*

Thursday, Sept. 4. the Weather that had been so extream wet before, that many Soldiers died thereby (and with extream hard duty) began to alter. The Assailants play'd their Great Guns from off the New Battery against *Pryors*-Fort. Summons was also prepared to be sent to P. *Rupert*; and being agreed unto, were sent in accordingly: But the same and most other Remarkable Passages of this Siege, being at large express'd in Prince *Rupert*'s Narrative thereof, together with an Apologetical Declaration he soon after the Surrender of the City (apprehending himself scandaliz'd by some of the King's Party concerning that Affair) caused to be publish'd, I conceive it will be more to the Satisfaction of Posterity to deliver it in the words of that Valiant Prince, faithfully Reprinted, as followeth.

A Declaration of His Highness Prince Rupert.

NOT that His Highness thinks to justifie himself to those, who by that must condemn themselves: Nor that he believes any thing he had done needs a Declaration, does he publish this to the World: But he thought it might not be unnecessary to the Service of his Majesty (in order to which all his Actions have been directed) to let the World see that he hath faithfully served Him, and that his Enemies had no other reason for his accusation, than that they found it necessary for their defence. His Highness is not ignorant how great a difficulty he hath undertaken in satisfying the People, who are as severe in the Actions of others as they are partial in their own, and who censure all by success; which Judgment, how unjust it is, the meanest understanding, even those brought against him, must confess. Yet with these disadvantages must he now appear, and he is confident that through them all he shall let the misinformed Kingdom see that his Honour is as much above the Malice of his Enemies as their Competition. His Highness will not go back to the beginning of these times, nor particularly mention his Actions in this War, altho' he believes he may without vanity say, that neither Integrity nor Industry hath been wanting in any of them: nor that there hath scarce been any Service where he hath not appeared in his Person and his Care; which how successful it hath been in several occasions the Kingdom will be his witness, and where the Event hath been contrary, His Majesty and the Armies will acquit him of his part in it. And he esteems it his happiness to have served the King in difficult times, where he hath appeared with him in good and ill Fortune, assisted by the Gallantry of those Gentlemen who neither in danger nor disfavour have forsaken him, of whose affections he shall ever make a just and proportioned acknowledgment. But since (as it is the fate of those in the condition of his Highness) he hath had his actions imperfectly, if not maliciously related, examined at a distance, and accordingly censur'd; since he is become the Subject of every ones Passion, how unjust soever, and of every opinion, altho' never so weak; His Highness thought it was a right he owed the King's Service and himself (whom he will ever consider last) to publish in the following Narrative, the integrity and reasons of his Proceedings, that it might appear, that as his Highness hath faithfully served the King, he hath not served him unadvisedly, but like a Soldier, as well as a Man of Honour. And all the World, even his Enemies shall see, that his Actions (to say no more) have been as far from injuring his Majesty's cause, as theirs from defending it.

A Nar-

An. 1645.

A Narrative of the State and Condition of the City and Garrison of Bristol, *when his Highness Prince* Rupert *came thither; of the Actions there during the Siege, of the Treaties and Rendition thereof.*

HIS Majesty, after the Battel of *Nasby*, Retreating towards *Hereford*, intending to recruit his Army by new Levies in those Parts; His Highness, Prince *Rupert* cross'd the *Severn*-Sea to visit his Highness the Prince of *Wales*; and by his Personal Presence, to inform himself more fully of the condition of his Majesty's Forces in the Western Parts. In his return, he passed through the Lord *Goring* his Army, thereby to settle and order things so there, as might most advantage his Majesty's future Service; and immediately after, his Highness intended to provide for a Train of Artillery, and other Necessaries for his Majesty's Army, repaired to *Bristol*, where the then present Constitution of the Garrison had by the Establishment Contribution setled for 3600 Men, for that and the subordinate Garrisons, as *Nunney*, *Portsend Point*, &c. But at his coming thither, the Presidiary Soldiers (which went by reputation, for 800, or 900 Men, and for some reasons unknown to his Highness, it was not thought fit or convenient by them who took upon them the power to have them called to a Muster) were really in the Judgment of honest and Judicious Persons, whose safeties were concerned in it, betwixt 500, or 600 effective. The Auxiliary and Trained Bands, by interruption of Trade and Commerce, by the Pestilence then raging there, by their Poverty and Pressures laid upon them, were reduced to 800; and the Mariners, for want of imployment, betook themselves to other Parts, or to the Enemy.

The Commissioners intrusted for the Contribution and Support of the Garrison, upon the Enemies approach, abandoned the Town, and many considerable Persons had liberty given them, and quitted the Town, which much weaken'd and dishearten'd the rest.

For the securing of that place, his Highness drew in so many, that made the Garrison 2300 Men upon sight: But after the Enemy approach'd, his Highness could never draw upon the Line above 1500, and it was impossible for his Highness to keep them from getting over the Works, and many of those were new Levied *Welsh*, and unexperienced Men.

The Line which was to be defended, was above four miles in compass, the Breast-work low and thin, the Graff very narrow, and of no depth; and by the opinion of all the Colonels (whose Judgments and Votes were required upon all important occasions) not tenable upon a brisk or vigorous Assault.

The great Fort, which had the reputation of strength, lay open to *Brandon*-Hill Fort, which being taken, would from its height with the Cannon, command the whole Plain within it, and that wanting Water was not to be kept many days. For the like consideration of danger to the Line from another part, his Highness built a Redoubt without, which on that side prevented the Enemy from erecting a Battery, as likewise three other during the Siege, and drew a Line of 500 Foot.

After the misfortune which happened to the Lord *Goring* his Army, the loss of *Bridgewater* and *Sherborn*, and upon his Majesty's sudden Recess out of *Wales*, his Highness not having received any Command or Intimation to follow him, he thought it might be more conducible to his Majesty's Affairs for him to remain there; and conceiving that the Enemies design after their former Successes, might be for *Bristol*, gave express Orders, for all Inhabitants to Victual themselves for six Months: and upon a strict Survey, there were 2500 Families then remaining in the City whereof 1500, through indigence and want, could not provide for themselves. To supply this defect, his Highness caused 2000 Bushels of Corn to be imported out of *Wales*. For further Supply, his Highness, upon the certain approach of the Enemies whole Army, Commanded out Parties to drive in all the Cattel thereabouts; of which there were an indifferent number.

The

The Ammunition was scant (considering that in the Forts, Castle, Line and Streets, there being above one hundred Cannon mounted) the quantity of Powder exceeding not 150 Barrels: And at his Highness's first coming thither, there was not in the Publick Magazine Musket-balls for three Hours-fight, wherefore he caused immediately great Quantities of Lead to be cast into Bullet; and the Manufacture of Match was quite down, and set up by his Highness during the Siege. *21 Caroli.*

His Highness having made all possible Preparations, consulted with all us, the Colonels of Post, for our opinion concerning the tenableness of the Line: Our Judgment general was, that notwithstanding the Works and Line were very defective, the Circuit large, our Numbers few; yet if we could repel one general Storm, the Enemy would be discouraged from attempting the second time, and the Season of the Year might advantage us, and incommode them.

Upon this uncertainty his Highness made offer, that for his own Person he would attempt to break through with his Horse, with such Officers as could be spared, leaving such as were requisite for the Fort and Castle.

This by all us the Colonels of Posts and Officers, was thought neither safe nor honourable. In the second Place, he offered to put himself upon the Defence of the Castle and Fort; all the Officers were clear of opinion against this, in regard of the Nobility and Gentry, and such of the Town as had appeared well affected, and the Horse and Foot which the Fort and Castle could not receive, had thereby been left to the Sword of of the Enemy, and in regard the Fort and Castle in our opinions were not tenable against their Army.

In the third Place, seeing that neither of the former ways could be taken, we were all resolved to fall upon the best general Defence that could be made of the whole, wherein we might all share alike. These were the Resolutions of all we Colonels and Officers of the Posts, Castle and Fort, his Highness leaving the free Debate unto us, himself not being by, upon our own desires.

These were the Results at a Council of War, only I do not well remember that the weakness of the Castle and Fort was at that instant, while I was present, taken into Consideration.

SIGNED,

F. Hawley, John Russel, Somerset Fox, Will. Murry, Henry Osburn, Henry Tillier, Mat. Appleyard.

The State and Condition of the Line of Fortifications about the City of Bristol, *as likewise of the great Fort (as appears by the Subscriptions of the Engineers, who had taken an exact Survey of them) were as follows.*

THE Line generally was three Foot thick.

The heighth of it five Foot where it was highest.

The Graff commonly six Foot broad, and where it was widest but seven.

The depth in most Parts four Foot, and five where deepest.

Between *Pryor* Hill Fort, *Stoke's Croft*-Gate, and beyond the little River towards *Lafford's*-Gate, in which Places the Enemy enter'd, not five Foot high.

The Graff five Foot broad, and all that Part of the Line much decayed.

The Ditch of the great Fort on the Right-hand of the Gate before the Face of the Bulwark, was not four Foot deep, and eighteen Foot broad, so that Horses did go up and down into it.

The highest Work of the Fort was not twelve Foot high, and the Curtains but ten.

Within

An. 1645. Within one hundred Foot of the Fort, there was a deep hollow way, where the Enemy might lodge what Numbers he pleased, and might be in the Graff the first Night, and in that Part the Fort was Minable.

Brandon-Hill Fort, was about twelve Foot above the level of the great Fort, and that being not able to make any long Resistance, the Enemy gaining it, would command the other.

The Hedges and Ditches without the Line were neither cut nor levelled, so that they lodged their Men securely near our Works, at their first Approach.

We do here under our Hands attest the Particulars above written to be true.

B. De Gomme, *Engineer-General.*
John Mansfield, *Engineer.*

The Resolution being then taken for a general Defence, his Highness disposed all the Colonels to their several Posts and Forts upon the Line. His Highness being thus sollicitous for the securing of the Place, the Enemy upon the 22*d* of *August* appeared before the Town, upon *Pine*-Hill to the South-side. To encounter them his Highness sent a Party of Horse Commanded by Sir *Richard Crane* (who in that Action received his Death's Wound) a little before that *Bedminster* was fired, upon Intelligence the Enemy intended that Night to Quarter 2000 Men in it, and notwithstanding the Fire, the Enemy drew thither, and ply'd their Small-shot all Night.

August 23. His Highness caused a Traverse or Blind of Earth to be made within the Draw-Bridge without *Temple*-Gate, and the same day a Battery was raised in the Marsh for securing the River, and scouring the Fields beyond it. The Enemy began some Breast-Works, and a Battery on the Hill without *Temple*-Gate, with a Traverse cross the way to hinder our Sallies.

In this time the Enemy omitted no opportunity to sollicite the Minds of the Inhabitants, Trained-Bands, and Auxiliaries, and to that purpose sent secretly in these Lines following, Signed and Sealed by Sir *Thomas Fairfax*, and *Oliver Cromwell*, as likewise further Instructions to the Citizens of *Bristol*, for the Delivery of *Bristol* to the Parliament.

WE do hereby promise and engage our selves; that all such Citizens of *Bristol*, now Inhabiting within the said City, which shall from henceforth forbear to resist the Army under our Command, in the attempting to enter the said City, and the Lines of Defence, and Forts made about it, and shall appear to do their best endeavour for the delivering in of the same into our Hands, for the use of the Parliament, shall (in case the said City be delivered into our Hands) be secured and protected by the Authority of the Parliament, in the Enjoyment of their Lives, Liberties and Estates, as freely as in former times, and as any other Persons under the Obedience of the Parliament, notwithstanding any past Acts of Hostility, or any other thing by them done in the former delivering up of the said City to the Enemy, or maintaining of it against the Parliament, or otherwise in assistance of the Enemy. For assurance, and in testimony whereof We have hereunto set our Hands and Seals, this 25*th* of *August*, 1645.

Subscribed and Sealed by

Thomas Fairfax.
Oliver Cromwell.

Further

21 *Caroli.*

Further Instructions to the Citizens of Bristol *that shall endeavour the delivering up of the City to the Parliament's Forces.*

1. THAT if any doubtful Expressions or Defects be conceived to be in the Notes sent in under our Hands, the said Citizens shall have any other Draught to the same Purpose, Signed and Sealed by us in as full and ample Terms, as themselves shall devise and send forth to us.

2. That what Liberty, Freedom or Immunity the said Citizens shall find needful to promise to any common Soldiers, or Officers of the Enemy within the Garrison (not exceeding the Degree of Colonels) for the more sure and speedy delivering up of the said City unto us, shall be fully made good by us.

3. That they fall to some speedy Resolution, and attempt for the Purposes aforesaid, because else we shall fall to some Attempt by our own Forces, and (if thereby through God's Blessing it be taken) we shall hardly be able to with-hold the Soldiers from doing that Violence and Damage to the City; which we earnestly desire and study to prevent.

4. For the particular way of their Attempt we must expect Advertisement from them, and cannot particularly direct them, but in general we offer that it may be either by seizing the Prince, or possessing or delivering up some Fort or Work which we may enter, or setting open some Port, or by a general Rising to assault and oppose the Prince's Forces, or otherwise as they shall find any speedy Opportunity, and upon the perceiving of any such Rising, or Attempt of theirs within, we shall apply our Forces accordingly to enter for their Assistance, and if by any such means of theirs we enter, we shall undertake to secure the City from loss or violence by our Soldiers.

5. If they think themselves by their own Force able to master the Enemy, or by any Design to make themselves Masters of the Commanding Forts without our Assistance, we shall not bring our Army into the City, unless they desire it.

Upon the Interception of which Papers his Highness caused several suspected and active Persons to be restrained, which prevented the Design, and withal by his Personal Presence secured the Great Fort from Surprisal.

In the mean time his Highness to interrupt the Enemy's working made several Sallies, all which succeeded according to Design.

Aug. 26. Soon after a Storm being expected by the Enemies drawing great Bodies of Horse and Foot, his Highness double Manned the Line, but nothing followed.

Aug. 28. Five Parliament Ships enter'd *King's-Road*, and forc'd Capt. *Boone*, who commanded the Tenth Whelp, to run up the *Severn* for Security.

Aug. 29. The Enemy was making a Bridge over *Avon* to conjoyn their Quarters.

Sept. 3. His Highness began a Work, or cutting off within the Line by *Lafford*'s-Gate.

Sir Thomas Fairfax *his Summons.*

Fairfax's first Summons to *Bristol.*

SIR, For the Service of the Parliament, I have brought this Army, before the City of *Bristol*, and do Summon you in their Names to render it, with all the Forts belonging to the same into my Hands to their Use. Having used this plain Language, as the Business requires, I wish it may be as effectual with you, as it is satisfactory to my self, that I do a

An. 1645. little expostulate with you about the Surrender of the same, which I confess is a way not common, and which I should not have used, but in respect to such a Person, and to such a Place. I take into Consideration Your Royal Birth, and Relation to the Crown of *England*, Your Honour, Courage, and the Virtue of your Person, and the Strength of that Place, which you may think Your Self bound, and able to maintain.

S I R, The Crown of *England* is and will be where it ought to be, we fight to maintain it there, but the King, misled by Evil Counsellors, or through a seduced Heart, hath left His Parliament and His People, (under God the best Assurance of his Crown and Family;) the Maintenance of this Schism is the Ground of this unhappy War on your Part, and what sad Effects it hath produced in the three Kingdoms, is visible to all Men. To maintain the Rights of the Crown of *England* jointly (a principal Part whereof is, That the King in Supreme Acts concerning the whole State is not to be advised by Men, of whom the Law takes no Notice, but by His Parliament the Great Council of the Kingdom ; in whom (as much as Man is capable of) he hears all his People as it were at once, advising Him, and in which Multitude of Counsellers lies His Safety, and His People's Interest ; and to set him right in this, has been the constant and faithful Endeavour of the Parliament, and to bring those wicked Instruments to Justice (that have misled Him) is a principal Ground of our Fighting.

S I R, If God makes this clear to you as he has to us, I doubt not but he will give you a Heart to deliver this Place, notwithstanding all the other Considerations of Honour, Courage, Fidelity, *&c.* Because their Consistency and Use in the present Business depends upon the Right and Wrongfulness of this that has been said : And if upon such Conviction you should surrender it, and save the Loss of Blood, or Hazard of spoiling such a City, it would be an Occasion glorious in it self, and joyful to us for the restoring of you to the indear'd Affection of the Parliament, and People of *England*, the truest Friends to your Family it hath in the World.

But if this be hid from your Eyes, and that through your Wilfulness, this so Great, so Famous, and Ancient a City, and so full of People be (by your putting us to force the same) exposed to Ruin, and the Extremity of War (which yet we shall in that case as much as possible endeavour to prevent,) then I appeal to the Righteous God to be Judge between you and us, and to require the Wrong.

And let all *England* judge whether the burning of its Towns, ruining its Cities, and destroying its People, be a good Requital from a Person of your Family, which hath had the Prayers, Tears, Purses, and Blood of its Parliament and People, and (if you look on either as now divided) which hath ever had that same Party both in Parliaments, and amongst the People most zealous for their Assistance, and Restitution, which you now oppose, and seek to destroy, and whose constant Grief hath been, that their Desires to serve your Family have been ever hinder'd or made fruitless by that same Party about his Majesty, whose Counsels you act, and whose Interest you pursue in this unnatural War.

I expect your speedy Answer to the Summons with the Return of the Bearer this Evening, and remain,

Sept. 4. 1645. *Your Highness's Humble Servant*,

THO. FAIRFAX.

His Highness's Reply was only to know whether he would give Leave for a Messenger to go to his Majesty to know his Pleasure, which occasioned Sir *Thomas Fairfax* to return this Answer.

S I R,

21 *Caroli.*

SIR,

THE Overture of sending to the King to know his Pleasure I cannot give way to, because of delay; I confess your Answer doth intimate your Intention not to Surrender without His Majesty's Consent; yet (because it is but implicit) I shall send again to know a more positive Answer from your self, which I desire may be such, as may render me capable to approve my self,

Sept. 5. 1645. *Your Highness's Humble Servant,*
THO. FAIRFAX.

Whereupon his Highness sent him these following Propositions; for during a Treaty we might strengthen our Works within, hear from the King, and had he assented unto our Demands, we should have required a Confirmation of them by the Parliament, which Protraction of Time would have been our Advantage.

At the Council of War, Present,

Pince *Rupert*, Lord *Hawley*, Lord *Lumley*, Col. *John Russell*, Sir *Matthew Appleyard*, Col. *Tillier*, Col. *Fox*, Col. *Robert Slingsby*, Col. *Walter Slingsby*, Col. *Murrey*, Lieut. Col. *Osborn*.

SIR,

WHereas I received your Letter for the Delivery of the City, Forts, and Castle of *Bristol*, and being willing to joyn with you for the sparing of Blood, and preserving of His Majesty's Subjects, I have upon those Grounds and none other, sent you these following Propositions.

1. That my self, all Noblemen, Commanders, Officers, Gentlemen, and Soldiers of Horse and Foot, that have served either his Majesty or Parliament in *England*, or elsewhere, as likewise all Persons whatsoever, Men or Women, now Resident here in this City of *Bristol*, Castle and Forts thereof, shall have free Liberty to march away out of the said City, Castle and Forts, with their Arms, Flying Colours, Drums Beating, Trumpets Sounding, Pistols Cock'd, Swords drawn, Matches lighted on both Ends, Bullets in their Mouths, and as much Powder as they can carry about them, with all their Bag and Baggage, Horses, Arms and other Furniture, Ten Pieces of Cannon, Fifty Barrels of Powder, and Match and Bullet proportionable.

2. That neither my own Person, nor the Person of any Nobleman, Commander, Officer, Gentleman or Soldier, or any other of mine or their Retinues, be searched, molested or troubled, upon what Pretence soever, but left to their Liberties, to depart or stay as it shall be most convenient for them.

3. That none of your Army whatsoever shall entice or perswade any Officer or Soldier of mine from their Regiments or Colours, with any Promise of Preferment or Rewards.

4. That all such Officers and Soldiers that are hurt and sick, and cannot now march out of this City, Castle and Forts, shall have Liberty to stay until they be recovered, and then have safe Conduct to go wheresoever they please, either to any of His Majesty's Armies or Garrisons, or their own Houses, where they may live quiet, in the interim they being sick and hurt, may be protected by you, and have civil Usage.

5. That all Prisoners taken on both Sides since the beginning of this Siege be forthwith set at Liberty.

6. That my self, and those above-mentioned be not required to march further in a Day, than what conveniently we may, and that a Day or two of

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of reft may be allowed upon our march if we ſhall find it requiſite; and that we be accommodated with free Quarters during our March, and a ſufficient Convoy to any of the King's Armies or Garriſons which I ſhall name, to ſecure us in our Quarter, and upon our March, from Injuries and Incivilities that ſhall any way be offered unto us; and likewiſe that there be One hundred and fifty Carriage-Horſes, and forty Wains with ſufficient Teams provided for Carriages of all Sorts.

7. That no Perſon here in theſe Articles mentioned ſhall be in their March, Rendezvous, or Quarters Stop'd, Searched or Plundered, upon any Pretence whatſoever. That two Officers be appointed by you, the one for Accommodation of free Quarters for Officers, Soldiers and others, and the other for providing of Horſes and Carriages for our Baggage and Train.

8. That all Noblemen, Gentlemen, Clergymen, Citizens, Reſidents, and any other Perſon within the City, Suburbs, or Liberties of the City of *Briſtol*, ſhall at any time when they pleaſe have free Liberty to remove themſelves, their Goods and Families, and to diſpoſe thereof at their Pleaſures, according to the known and enacted Laws of the Land, either to live at their own Houſes, or elſewhere, and to enjoy their Houſes, Lands, Goods and Eſtates, without any Moleſtation, and to have Protections for that purpoſe; and this Article to extend to all whoſe Eſtates are Sequeſter'd, or not Sequeſter'd, and that they may reſt quietly at their Abodes, and travel freely, and ſafely upon their Occaſions, and for their better Removal they may have Letters of ſafe Conduct with Horſes and Carriages at reaſonable Rates upon demand.

9. That all Perſons above-mentioned may have Liberty to go beyond the Seas at any time within three Months, as their Occaſions ſhall require.

10. That the Lines, Forts, Caſtle, and all other Fortifications about or in the City, be forthwith ſlighted, and the City ſtated in the ſame Condition it was before the beginning of this unnatural War, and that the Parliament, during this War, place no Garriſon in it.

11. That no Churches be defaced, that the ſeveral Members of the Foundation of this Cathedral ſhall quietly enjoy their Houſes, and Revenues belonging to their Places, and that the Miniſters likewiſe of this City may enjoy their Benefices without any Trouble.

12. That no Oaths be impoſed upon any Perſon now in this City, Suburbs and Liberties, other than ſuch as are required by the ancient and enacted Laws of this Land.

13. That the Mayor, Sheriffs, Aldermen and Citizens, within this Corporation of the City of *Briſtol*, ſhall be free in their Perſons and Eſtates, and enjoy all their Privileges, Liberties and Immunities, in as full and ample manner as formerly at any time they did before the beginning of this War; And that they have Freedom of Trade both by Land and Sea, paying ſuch Cuſtoms and Duties as formerly they have done to his Majeſty, and that no Mulct nor Fine be impoſed upon any Perſon mentioned in this Article, or queſtioned for any Act or thing done before the Day of our marching forth, upon any Pretence whatſoever, and that no free Quarters be put upon them without their own Conſents.

14. That all other Perſons whoſe Dwellings are in this City, and now abſent, may have the full Benefit of theſe Articles as if they were preſent.

15. That all Noblemen, Gentlemen and others, who have Goods in this City, and now preſent or abſent, may have Liberty at any time within three Months to diſpoſe of their Goods as they pleaſe.

16. That there be no Plundering, or taking away of any Man's Perſon, or any Part of his Eſtate under what Pretence ſoever, and that Juſtice, according to the known and enacted Laws of the Land, be adminiſter'd to all Perſons within this City, by the Civil Magiſtrates.

17. And for the Performance of all these Articles, I expect such Hostages to be given as I shall accept of, and hereunto I desire your speedy Answer. *21 Caroli.*

SIR,

By this you may evidently perceive my Inclination to Peace, and you may be assured that I shall desire nothing but what shall be with relation to his Majesty's Honour, and the Safety of the Kingdom, and what may become,

Sept. 7. 1645. *SIR, Your Servant,*
RUPERT.

Upon Perusual of which Sir Tho. Fairfax *returns this Answer.*

SIR,

I Have perused your Propositions, wherein some things are doubtfully expressed, other things inconsistent to the Duty I owe to them I serve, notwithstanding to the end I may give Assurance, that I earnestly desire to save Effusion of Blood, and the Ruin of a City and People, that may be so serviceable to the Crown and Kingdom: If your Highness please, that Commissioners may Treat between us concerning the accommodating of Things, I hope to make it evident to the World, that what shall respect the Honour of a Soldier, due Civilities to all Men, the good and welfare of the People of that City, both in passing by what is past, and restoring them to the Privilege of all other Subjects, and to the Immunities of their City, will readily be condescended unto by Me, as becomes a Gentleman and a Christian. And to the end no time may be lost, I have here inclosed sent you the Names of Three Commissioners, who upon the Return of Hostages of equal Condition unto me, shall attend your Highness sufficiently instructed to conclude on my Part: Provided the said Treaty be ended by Nine of the Clock this Night, and to this I desire your Answer within the Space of an Hour, and remain.

Sept. 7. 1645. *Your Highness's Humble Servant,*
THO. FAIRFAX.

The Names of Commissioners, for whom, if a Treaty be admitted, I desire a safe Convoy by this Bearer.

Colonel *Ireton*, Commissary-General of Horse.
Colonel *Fleetwood.*
Colonel *Pickering.*

His Highness reply'd in these Words.

SIR,

I Thought I had sufficiently explained my self in my Propositions, and that there was nothing doubtful, or could be inconsistent with the Duty you owe to them you serve, but since it seems otherwise to you, I desire you would set down your Doubts and Exceptions in Writing, to which you shall have a speedy Answer from

Sept. 7. 1645. *Your Servant,*
RUPERT.

Which occasioned this following Letter, and Propositions from Sir Thomas Fairfax.

SIR,

I Perceive by your last, that you decline any Treaty by Commissioners, and for me to send you in Writing my Doubts and Exceptions to your Propositions, and expect your Answers, were a way like to give occasion

An. 1645. occasion to many new Messages and Delays, to avoid which, and to bring these Overtures to a speedy Resolution, I have here sent you what I am willing to grant, beyond which I may not go, and what I demand, from which, by God's Blessing, I shall not recede: I have observed the Order of your own Propositions, and upon every one have granted what is Honourable for your Highness, or the Safety and Welfare of the City to have, and fit for me in Honour and Faithfulness to them I serve, to give, and this I have set down, as near as I could in your own Words, so far as I found them clear, though with some Repetitions of the same Things. By all this I hope I have sufficiently evidenced my Tenderness of Blood, and of this City, and have cleared my self before God and the World, from what Evil shall ensue upon your Refusal; If you accept the Terms, having here sent two Copies Sealed and Signed by me, I shall expect that you return one of them Signed and Sealed by your self, also to be brought back to me this Day by Six of the Clock in the Evening at furthest, otherwise I shall conclude your Refusal, and account my self absolved, save from the desire of being, Sir,

Stapleton, Sept. 8. 1645. *Your Highness's Humble Servant,*
THO. FAIRFAX.

Articles of Agreement for the Surrender of the City of Bristol, *with the Castle and Forts thereof, between his Highness Prince* Rupert, *and his Excellency Sir* Thomas Fairfax, *made* Sept. 8. 1645.

1. THAT His Highness Prince *Rupert*, and all Noblemen, Commanders, Officers, Gentlemen and Soldiers, and all other Persons whatsoever now resident in the City of *Bristol*, and the Castle and Forts thereof, shall have free Liberty to march away out of the said City, Castle and Forts, with their Arms, Flying Colours, Drums Beating, Trumpets Sounding, Pistols Cock'd, Swords Drawn, Matches Lighted, Bullets in their Mouths; every Foot-Soldier his Bandeliers full of Powder, with Match proportionable; and every Horseman his Flask full of Powder, with all the Bag and Baggage, Horses and Furniture, Four Pieces of Ordnance, Twenty Barrels of Powder, Match and Bullet proportionable.

2. That none of the Persons afore-mentioned, or of their Retinues, shall be searched, molested or troubled upon what Pretence soever.

3. That none of the Parliament Army whatsoever shall entice, or perswade any Officer or Soldier belonging to Prince *Rupert*, from their Regiments or Colours with any Promise of Preferment or Reward.

4. That all such Officers and Soldiers that are hurt or sick, and cannot now march out of the City, Castle and Forts, shall have Liberty to stay until they be recovered, and then have safe Conduct to go wheresoever they please, either to any of his Majesty's Armies or Garrisons, or their own Houses, where they may live quiet, and that in the interim they shall be protected by Sir *Thomas Fairfax*, and have civil Usage.

5. That all Prisoners taken on both Sides since the beginning of this Siege be forthwith set at Liberty.

6. That the Persons above-mention'd, that are to march away, shall have a sufficient Convoy to any of the King's Armies or Garrisons, which the Prince shall name, not exceeding fifty Miles from *Bristol*, to secure them in their March from all Injuries and Incivilities that shall or may be offered to them, for which March they shall have Eight Days allowed from their marching out of *Bristol*, and Free Quarter by the way during the same Space, and shall have Carriage-Horses, and Wains with Teams provided sufficient for Carriages of all Sorts from Quarter to Quarter, they giving caution forthwith to return the same immediately.

7. That none of the Persons above-mention'd shall be in their said March, Rendezvous or Quarters, Searched or Plundered upon any Pretence

tence whatsoever; and that two Officers shall be appointed by Sir *Thomas Fairfax*, the one for Accommodation of Quarters for them by the way, the other for providing of Horses and Carriages for the Baggage and Train. 21 *Caroli.*

8. That all the Citizens of *Bristol*, resident within the City, Suburbs, and Liberties thereof, and all Noblemen, Gentlemen, Clergymen, and others resident within the same, that have not otherwise been engaged in Arms, or Hostility against the Parliament then in Defence of the said City, Castle or Forts, shall freely enjoy the Liberty of their Persons, and also of their Houses, Lands, Goods and Estates at their own Dispofal, according to the known and enacted Laws of the Land (they continuing from henceforth either in the said City, or elsewhere under the Obedience and Protection of the Parliament,) and this Article to extend to those of them whose Estates are Sequester'd, as well as those that are not Sequester'd, and that they may quietly rest at their Abodes, or travel freely and safely upon their Occasions, and for their Removal of their Goods, shall have such Liberty, as is hereafter provided in the Fifteenth Article.

9. That all or any of the Persons above-mentioned, who shall desire to go beyond the Seas upon their private Occasions, and shall give Assurance from henceforth not to bear Arms, or act any thing against the Parliament, or to the Prejudice of their Affairs, shall have Liberty to pass to any Place beyond the Seas any time within three Months.

10. That no Garrison, save the Citizens themselves, shall without their Consent be put into the City, except in the Castle and Forts, and what Force shall be placed therein, shall be maintained at the Charge of the State.

11. That no Churches be defaced, that the several Members of the Foundation of the Cathedral in *Bristol*, shall quietly enjoy their Houses belonging to their Places, and for the Revenues of them, as also the Ministers of the City for their Benefices, they shall be in the same State and Condition with other Clergymen of their Quality continuing in the Protection and Obedience of the Parliament.

12. That no Oaths other than such as are required by the Enacted Laws of the Land shall be imposed upon any Person, that now is, and shall continue in the said City, Suburbs and Liberties, either by the General, or any other of his Authority.

13. That the Mayor, Sheriffs, Aldermen, and Citizens within the Corporation of the City of *Bristol* shall be free in their Persons and Estates, and enjoy all their Privileges, Liberties and Immunities in as full and ample manner as formerly before the beginning of this War, and shall have Freedom of Trade by Land and Sea to all Places, and with all Persons not in Hostility against the Parliament, paying such Duties and Customs to the Officers appointed by the Parliament, as formerly they have done to his Majesty; and that no Mulct or Fine be imposed on any Person mentioned in this Article, nor any of them questioned upon Pretence of any act or thing done or committed before the date hereof, the King's Forces marching forth as aforesaid, and that no free Quarters shall be put upon them without their own Consents.

14. That all other Persons whose Dwellings are in this City, and now absent, shall have the full Benefit of these Articles as if they were present, provided that such of them as are elsewhere in Arms against the Parliament, do come in within one Month after the date hereof.

15. That all Noblemen, Gentlemen, and others who have Goods in the said City, and are now present or absent, shall have Liberty at any time within one Month to dispose of their said Goods as they please, except it be Arms or Ammunition.

16. That there shall be no Plundering admitted under what Pretence soever, nor any taking away of any Man's Person, or any Part of his Estate contrary to these Articles, and that Justice, according to the known Laws of this Land, be administer'd to all Persons within this City by the Civil Magistrates.

17. That

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17. That in Confideration hereof, the City of *Briftol*, with the Caftle, and all the Forts and Fortifications thereof, without any flighting or defacing thereof, and all the Ordinance, Arms, Ammunition, and other Furniture and Provifions of War therein, without Diminution or Imbezelment (excepting what is allowed to be carried as before) fhall be delivered up to Sir *Thomas Fairfax* on *Tuefday* Morning next by Nine of the Clock, at which time the Prince with all the Perfons mentioned in the firft Article that march out, then naming what Army or Garrifon of the King's he will march unto.

18. That none of them in their marching out, or before, fhall plunder, hurt, or fpoil the Town, or any Perfon in it, nor carry out any thing but what is properly their own (except before excepted)

19. That the Convoy, and two Officers to be fent with the Prince (as before) in the Sixth and Seventh Articles, fhall not have any Violence offered or done to them by any of the King's Forces during the faid Eight Days allowed for the Prince his March, and Seven Days more for their Return to the Army.

20. That fufficient Hoftages fhall be delivered immediately upon Signing hereof for Performance of thofe Articles on both Parts.

Signed and Sealed.
THO. FAIRFAX.

Wherein his Highnefs finding fundry Omiffions of feveral Claufes, and fome Propofitions totally left out, returned him this Letter with the Poftfcript.

SIR,

ALthough I conceive my former Propofitions fo well grounded upon Honour and Juftice, as that I cannot well recede from them, yet for preventing of Effufion of Blood, and for the Welfare of this Place with which I am intrufted, I am willing fo far to affent unto you as to leave the Caftle undemolifhed; but for the other Forts and Lines, to have them abfolutely flighted, and for all the other Articles to ftand firm as I propofed them, to which if you will affent, I will then fend Commiffioners unto you to regulate, and fettle all things between us, which will occafion me to reft.

Sept. 8. 1645. *Your Servant,*
RUPERT.

SIR,

I have returned you your Propofitions again, finding many Alterations and Omiffions in them, very prejudicial to thofe whom I am obliged in Honour, and am refolved to protect.

But Sir *Thomas Fairfax* being conftant to his own Propofitions gave this Anfwer.

SIR,

I Have offered what is fair for your Honour, and the Townfmen's Immunity, and for what I demanded, I can accept no lefs, except I fhould grant all for nothing, and though for that Point of the Townfmen's Security, I fhall be moft willing to fupply any thing that might be thought wanting in my Offers, yet to admit a new Confideration upon your Propofitions, would tend to, and (I doubt) end in nothing elfe but further Delay, for by all your Letters, and the whole Carriage in this Bufinefs, I find the Advantage of Time wholly, or chiefly intended. As you have thus far had your end therein, I have not loft mine, that is, to make my Proceedings more clear, and innocent before God and the World, and having

ving done this, I can with a clear confidence trust God for a better issue in another way; you have my resolution, which if you accept not, I desire nothing further but the return of my Trumpet by Noon, and that he may not be detained as formerly. I remain, Sir, *21 Caroli.*

Sept. 9. 1645. *Your Highness's Humble Servant,*

THO. FAIRFAX.

Hereupon his Highness and the Commanders, resolving not to break off nor conclude the *Treaty* until that they might hear from the *King*, unless forced thereunto, returned this Answer:

His Highness's Answer.

SIR,

HOW fair your Offers are to my Honour, I hope you will give me the liberty to judge, finding you wanting in your care of the Noblemen, Commanders, and Soldiers that are under my protection, of whom I am bound to have an equal care with my self, and am sorry to find so ill a construction made of my fair proceedings and intentions in this my intercourse of Letters; since you interpret that a delay, which on my part was but a compliance to what you propounded, tending to the prevention of effusion of Blood, and to the good of the Kingdom, to which the slighting of the Castle, Forts and Works, was the most conducible means, since that can only settle this City in the condition of its former Peace, and might have been a leading President to the happiness of the whole Kingdom. Thus you may see the reality of my Ends, which since you took the liberty to question, give me leave to tell you, that yours have not been such to me as you have profess'd before God and the World, by what I have seen under your Hand and Seal proposed to others, nevertheless I shall never decline to embrace any Overture that tends to the general Peace of this Nation, and in particular of this City, and those under my protection and command, which is the only endeavour and study of, Sir,

Sept. 9. 1645. *Your Servant,*

RUPERT.

Upon the Tenth of *September* the Enemy Stormed the Line generally, about two in the Morning, and his Highness having received Intelligence a little before of it, all were in a readiness to receive them, they enter'd the Line where the Townsmen and New *Welsh* were, as at *Stokescroft*-Gate, where the Officer in chief, who was Mayor of the Town was slain in the place, and at *Lafford*'s-Gate, where many of the Officers and Soldiers were taken and killed; and the same time they Stormed *Pryor*-Hill Fort, and took it, which was the loss of the whole Line, they being beaten off, in the other parts of the Town; then the day breaking we found them in full possession of the Line and Fort, which caused our Horse and Foot to Retreat to the great Fort, who were presently Commanded into the City to make that good, leaving the other Works sufficiently Manned, as *Golson*'s Fort, *Brandon*-Hill, and the New Redoubt without the Line. Finding our selves in this condition, and considering the Engagement of those within the City and Castle, and that the Lord *Hawley*, Sir *Matthew Appleyard*, and Col. *Slingsby* with their Men were in danger to be cut off, the Enemy being between us and them, his Highness was moved by the Officers to entertain a Treaty in time, before those were lost; His

An. 1645.

Highneſs condeſcending thereunto, ſent a Trumpet to Sir *Thomas Fairfax*, to know whether he would Treat or not? who accepting it, Commiſſioners were nominated on our part, Sir *William Vavaſour*, Sir *John Mennes*, and Col. *Henry Tillier*; the firſt thing propoſed was a Ceſſation of Arms, and in the mean time every one to keep his Poſt. They firſt propoſed his Highneſs's former Propoſitions; but our condition being then alter'd, and they ſenſible of their own ſucceſs, would not admit them, but would Treat upon New Propoſitions, which after long Debate were as followeth.

Articles of Agreement between the Commiſſioners appointed on the behalf of his Highneſs Prince Rupert, *and his Excellency Sir* Tho. Fairfax, *for the Surrender of the City of* Briſtol, *Sept.* 10. 1645.

Articles for the Surrender of *Briſtol*.

1. THAT his Highneſs Prince *Rupert*, and all Noblemen, Commanders, Officers, Gentlemen and Soldiers, and all other Perſons whatſoever now reſiding in the City of *Briſtol*, and the Caſtle and Forts thereof, ſhall march out of the ſaid City, Caſtle and Forts thereof, with Colours, Pikes and Drums, Bag and Baggage: The Prince his Highneſs, all Noblemen, Gentlemen, and Officers in Commiſſion, with their Horſes and Arms, and their Servants with their Horſes and Swords, and Common Soldiers, with their Swords, the Prince his Life-Guard of Horſe, with their Horſes and Arms, and 250 Horſe beſides to be diſpoſed of by the Prince; and his Life-Guard of Fire-locks with their Arms, and each one of them one Pound of Powder, and a proportion of Bullet, and that none of the Perſons, who are to march out upon this Article ſhall be plundered, ſearched, or moleſted.

2. That ſuch Officers and Soldiers as ſhall be ſick or wounded in the City, Caſtle, and Forts, ſhall have liberty to ſtay until their recovery, and then have ſafe Conduct to go to his Majeſty, and in the interim be protected.

3. That the Perſons above mentioned who are to march away ſhall have a ſufficient Convoy provided for them, for their ſecurity to any ſuch Garriſon of the King's, as the Prince ſhall name, not exceeding fifty Miles from *Briſtol*, and ſhall have Eight Days allowed for their March thither, and ſhall have free Quarter by the way, and ſhall have two Officers appointed to attend them for their Accommodation, and Twenty Waggons for their Baggage if they have occaſion to uſe the ſame.

4. That all the Citizens of *Briſtol*, and all Noblemen, Gentlemen, Clergymen, and all other Perſons reſiding in the ſaid City and Suburbs of the ſame, ſhall be ſaved from all Plunder and Violence, and be ſecured in their Perſons and Eſtates, from the Violence of the Soldiers, and ſhall enjoy thoſe Rights and Liberties which other Subjects enjoy under the protection and obedience of the Parliament.

5. That in conſideration hereof, the City of *Briſtol*, with the Caſtle, and all the Forts and Fortifications thereof, without any ſlighting and defacing thereof, and all the Ordnance, Arms, Ammunition, and all other Furniture and Proviſions of War (excepting what is before allowed) ſhall be delivered up to Sir *Thomas Fairfax* on *Thurſday* the Eleventh of this Month, by Three of the Clock in the Afternoon, without any diminution or imbezelment, his Highneſs Prince *Rupert* then naming to what Army or Garriſon of the King's he will march to.

6. That none of the Perſons who are to march out on this Agreement ſhall plunder, hurt, or ſpoil the Town, or any Perſon in it, or carry out any thing but what is properly their own.

7. That upon Signing theſe Articles, Col. *Okey*, and all Perſons now in Priſon in the City of *Briſtol*, the Caſtle, or Forts of the ſame, ſhall immediately be ſet at liberty.

8. That ſufficient Hoſtages, ſuch as he ſhall approve, be given to Sir *Thomas Fairfax* this Night, who are to remain with him until the City be delivered unto him.

9. That

9. That neither the Convoy, nor Officers sent with the Prince, shall receive any injury in their going or coming back, and shall have Seven Days allowed for their return.

10. That upon Delivery of the Town sufficient Hostages be given for performance of the Articles on both parts.

Signed by us the Commissioners appointed on the behalf of his Highness Prince *Rupert, William Vavasour, John Mennes, Henry Tillier.*

Signed by us the Commissioners appointed on the behalf of his Excellency Sir *Thomas Fairfax, E. Montague, Tho. Rainsborough, J. Pickering.*

But in that particular point of laying down our Fire-Arms, there could be no conclusion made without his Highness's Pleasure first known, who thereupon called all the Commanders to deliver their Opinions therein, and upon full Debate they concluded, as by their Subscriptions appears, that if better Conditions could not be obtained, then to accept of those.

It is our general Opinion that if better Conditions cannot be Granted, We assent to the leaving of the Fire-Arms of the private Soldiers.

Rupert, Horatio Carey, Jo. Steward, Ed. Manwaring, Tho. Leigh, Will. Powell, John Russell, William Munday, Tho. Daniel, Mer. Touchet, B. De Gomme, Ed. Hutchinson, Theo. Kirton, Will. Pretty, Tho. Coningsby, Fra. Radcliffe, H. Ventris, W. Symonds, Rich. Price.

Bristol Surrender'd by Pr. *Rupert*, *Sept.* 11. 1645.

And thereupon there was a full Conclusion of the Treaty. The next day upon some Insolencies of the Soldiers, his Highness sent to Sir *Thomas Fairfax*, that the Articles were violated, and that if there was not a present Redress, he would stand upon his own defence, and rather die than suffer those injuries; and thereupon for his Highness satisfaction we had liberty to march with our Arms unto our Quarters.

For some days before the approach of the Enemy, and during the whole Siege, his Highness received not any Letter from his Majesty, nor from the Prince of *Wales*, nor from any General, or Minister of State, until his coming to *Cyrencester*; only the Governour of *Hereford* signified the Rising of the *Scots*, and their marching towards *Gloucester*, and a desire to have some Ammunition from him. Notwithstanding his Highness made several dispatches by all the convenient means he could.

The Well in the great Fort was not half finished, the Water scant, and troubled, and far insufficient for the use of the Numbers that were there.

It may be objected, That notwithstanding the Enemies Power and Force, and their entering the Line, yet the Castle and great Fort might have held out so long that probably Relief might have come, and that therefore there was not any pressing necessity to precipitate the Rendition of those Places.

To which this is replied, That any timely Relief was utterly improbable, considering that during the whole Siege, his Highness ne'er received any Intelligence from his Majesty, nor from the *West*; and though his Highness well knew in what condition his Majesty's Army was, yet if his Majesty could have drawn together all the power he expected, the Enemy could have Block'd up the Castle, and Fort, and have advanced 12000 Men to have fought a Battel, or

An. 1645. or else have secured themselves within the Line against all opposition; besides they were so absolutely Masters of all the Passes, and had so Barricado'd up the ways, that a small Force might have hinder'd a great Army. And at that time General *Poyntz* so closely observed his Majesty's Motions, that Relief was as improbable to be expected as easie to be desired. And his Highness could not promise himself any more likelyhood of Succours from the *West*, *Bridgewater*, *Sherborn*, and other interjacent Garrisons, being already reduced by the Enemy, and Col. *Massey* lying with a considerable Body of Horse and Foot in places of advantage ready to intercept and stop the Lord *Goring*. Moreover had there been any probability of Relief in any reasonable time, yet the Line being forc'd, *Pryor*-Hill Fort an important Place lost, the Officer to whose trust it was committed, deserting it (who never since that time appeared,) the City had thereby been exposed to the spoil and fury of the Enemy, so many Gallant Men who had so long and faithfully served his Majesty, (whose safeties his Highness conceived himself in Honour, obliged to preserve as dearly as his own) had been left to the slaughter and rage of a prevailing Enemy.

Nevertheless, although these Reasons were of that validity, that his Highness could but despair of Relief, yet another important Consideration was in it self singly sufficient to exclude all credence of possibility, which was, that the *Scots* upon removal from *Hereford*, march'd to *Gloucester*, where their whole Body was the 8*th* of *September*, an intermediate Place, near which his Majesty must have march'd, and can any rational Man imagine them so stupidly unactive, as to suffer his Majesty to pass so near them without opposition, considering what effective Forces they had, and their Commanders neither ignorant or idle to entertain opportunities for Action.

CHARLES R.

WHereas Our Right Dear and Intirely Beloved Nephew Prince *Rupert*, did at a Council of War, held by Us, at *Newark* the Eighteenth of this Instant *October*, there being then present Our Right Trusty and Well-beloved Cousin and Councellor *Mountague* Earl of *Linsey*, Lord Great Chamberlain of *England*; Our Right Trusty, and Right Well-beloved Cousin, *Richard* Earl of *Cork*; Our Right Trusty and Well-beloved *Jacob* Lord *Astley* Field-Marshal General of our Army; *John* Lord *Bellasis*, Captain General of our Horse-Guards; and *Charles* Lord *Gerrard*, Lieutenant-General of all Our Horse-Forces; Our Trusty and Well-beloved Sir *Richard Willis*, Knight and Baronet, Governour of *Newark*, and *John Ashburnham* Esq; our Treasurer at War, desire to clear himself for the rendering of the City and Garrison of *Bristol*, with the Castle and Forts thereof, and thereupon produced a Narrative of the matter of fact during the said Siege, with the Articles for the rendering of those Places, which being accordingly read and considered: We were then pleased to say, That we did not believe our said Nephew to be guilty of any the least want of Courage or Fidelity to Us in the doing thereof, but withal We believed that he might have kept the Castle and Fort a longer time. We having absolutely resolved speedily to have drawn together all the Forces we possibly could, and to have hazarded our own Person for his relief: Our Design being so laid as that in probability it would have succeeded, to which Our said Right Dear Nephew answered, that whatever he did therein, was by the advice of the Council of War of that Garrison, and that he could not in his Judgment possibly expect such Relief; besides he alledged that he had not received from Us any intimation thereof, but said, that if he had, he would have maintained those

those places to the last Man, though the tender regard he had to the preservation of so many Officers and Soldiers, was the chief reason that induced him to Capitulate for the whole, they having so long and faithfully served Us, all which Our said Right Dear Nephew humbly submitted to Our Judgment. Who upon which at a second Hearing before Our Self this *21st* day of *October*, the Lords and others above named being then likewise present, and upon a serious Consideration of the whole matter, We were then pleased to declare that We were fully satisfied that Our said Right Dear Nephew Prince *Rupert*, is not guilty of any the least want of Courage or Fidelity to Us, or Our Service in that Action, and We then gave leave to the Lords and others above specified, to declare their Opinions in that point. Who upon our leave and a full consideration of the Narrative formerly delivered, did unanimously concur with Us, Declaring likewise that Our said Right Dear Nephew is not guilty of any the least want of Courage or Fidelity to Us or our Service in that Action. *Given under Our Sign Manual at Our Court at* Newark *this 21st of* Octob. 1645. 21 *Caroli.*

Whereas in this his Highness's Narrative there is mention made of the King's Common Soldiers marching away with their Arms, the same is to be understood thus: After the Articles concluded, some breach of Articles being alledged by his Highness, and also that he was in fear that the *Club-men* might fall upon his Soldiers unarm'd, and doubted the Convoy would not be able to secure them in their Passage to *Oxford*, whither he declared it was his intention to march, desired *Fairfax* to let him have 1000 Arms for his Foot, Engaging on his Honour they should injure no Man therewith, only make use of them (if need were) to secure themselves from the violence of the People, and when they came up to *Oxford* to return them back again by the Convoy, which was done accordingly.

In this Service before *Bristol* there were lost on the Parliament's side Major *Bethel*, and Major *Cromwell* (who both died soon after of their Wounds); Lieut. Col. *Purefoy*, and Capt. *Hill*, kill'd upon the place; Major *Read*, and Capt. *Ireton*, and several other Officers Wounded.

As to what Ordnance, Arms, Ammunition and Provisions were found in the Forts, City and Castle, the same with other Particulars are mentioned to be as followeth in *Cromwell*'s Letter to the *Speaker*.

SIR,

IT hath pleased the General to give me in charge to represent unto you a particular account of the taking of *Bristol*, the which I gladly undertake: After the finishing of that Service at *Sherborn*, it was disputed at a Council of War, Whether we should march into the *West*, or to *Bristol*? Amongst other Arguments the leaving so considerable an Enemy at our Backs, to march into the heart of the Kingdom, the undoing of the Country about *Bristol*, which was exceedingly harassed by the Prince his being thereabouts but a Fortnight; the Correspondency he might hold in *Wales*, the Possibility of uniting the Enemy's Forces where they pleased, and especially the drawing to an head the disaffected *Club-men* of *Somerset*, *Wilts* and *Dorset*, when once our Backs were towards them. *Cromwell's* Letter of taking of *Bristol*, *Sept.* 14. 1645.

These Considerations, together with taking so important a Place, so advantagious for the opening of Trade to *London*, did sway the Ballance, and beget that Conclusion. When we came within four Miles of the City, we had a new Debate, Whether we should endeavour to Block it up, or make a Regular Siege? The latter being over-ruled, Col. *Welden* with his Brigade marched to *Pile-Hill*, on the South-side of the City, being within Musquet-shot thereof, where in a few days they made a good Quarter, over-looking the City. Upon our advance, the Enemy fired

Bedminster,

An. 1645. *Bedminster*, *Clifton*, and ſome other Villages lying near to the City, and would have fired more if our unexpected coming had not hinder'd. The General cauſed ſome Horſe and Dragoons under Commiſſary General *Ireton*, to advance over *Avon*, to keep in the Enemy on the North-ſide of the Town, until the Foot could come up; and after a day, the General with Col. *Montague*'s, and Col. *Rainsborough*'s Brigade marched over at *Kenſham* to *Stapleton*, where he Quartered that Night; the next day, Col. *Montague* (having his Poſt aſſigned) with his Brigade, was to ſecure all between the Rivers *Froom* and *Avon*, he came up to *Lawford*'s Gate within Muſquet-ſhot thereof: Col. *Rainsborough*'s Poſt was near to *Durdam-down*, whereof the Dragooners and three Regiments of Horſe made good a Poſt upon the *Down*, between him and the River *Avon*, on his Right-hand, and from Col. *Rainsborough*'s Quarters to *Froom* River, on his left, a Part of Col. *Birch*, and Major-General *Skippon*'s Regiment were to maintain that Poſt. Theſe Poſts thus ſetled, our Horſe were forced to be upon exceeding great Duty, to ſtand by the Foot, leſt the Foot being ſo weak in all their Poſts, might receive an affront. And truly herein we were very happy, that we ſhould receive ſo little loſs by Salliers, conſidering the Paucity of our Men to make good the Poſts, and ſtrength of the Enemy within: By Sallies (which were three or four) I know not that we loſt thirty Men in all the time of our Siege. Of Officers of Quality, only Col. *Okey* was taken by miſtake, going to the Enemy, thinking they had been Friends, and Capt. *Guilliams* ſlain in a Charge. We took Sir *Bernard Aſtley*, and killed Sir *Richard Crane*, (one very conſiderable with the Prince.) We had a Council of War concerning the Storming of the Town, about eight days before we took it; and in that there appeared great unwillingneſs to the Work, through the unſeaſonableneſs of the Weather, and other apparent difficulties. Some Inducements to bring us thither, was the report of the good affection of the Townſmen to us, but that did not anſwer expectation. Upon a ſecond conſideration, it was over-ruled for a Storm; which no ſooner concluded, but difficulties were removed, and all things ſeemed to favour the deſign; and truly there hath been ſeldom the like cheerfulneſs to any work like to this, after it was once reſolv'd on. The day and hour of our Storm was appointed to be on *Wedneſday* Morning the Tenth of *September* about One of the Clock: We choſe to act it ſo early, becauſe we hoped thereby to ſurprize the Enemy. With this Reſolution alſo, to avoid confuſion, and falling foul one upon another; that when we had recovered the Line, and Forts upon it, we could not advance further until day. The General's Signal unto a Storm, was, the firing of Straw, and diſcharging four Pieces of Cannon at *Pryors*-Hill Fort: The Signal was very well perceived of all, and truly the Men went on with great reſolution, and very preſently recovered the Line, making way for the Horſe to enter. Col. *Montague*, and Col. *Pickering*, who Stormed at *Lawford*'s Gate, where was a Double Work, well fill'd with Men and Cannon, preſently enter'd, and with great reſolution beat the Enemy from their Works, and poſſeſſed their Cannon; their Expedition were ſuch, that they forced the Enemy from their advantages, without any conſiderable loſs to themſelves: They laid down the Bridges for the Horſe to enter, Major *Desborough* commanding the Horſe, who very Gallantly ſeconded the Foot: Then, our Foot advanced to the City-Walls, where they poſſeſſed the Gate againſt the *Caſtle-Street*, whereinto were put an hundred Men, who made it good. Sir *Hardreſs Waller* with his, and the General's Regiment, with no leſs reſolution, enter'd on the other ſide of *Lawford*'s Gate, towards *Avon*-River, and put themſelves into an immediate conjunction with the reſt of the Brigade. During this, Col. *Rainsborough*, and Col. *Hammond* attempted *Pryors*-Hill Fort, and the Line downwards towards *Froom*; and the Major-General's Regiment being to Storm towards *Froom*-River, Col. *Hammond* poſſeſſed the Line immediately, and beating the Enemy from it, made way for the Horſe to enter. Col. *Rainsborough*, who had the hardeſt task of all at *Pryors*-Hill Fort, attempted it and fought near three hours for it, and indeed there was great deſpair of carrying the

place, it being exceeding high, a Ladder of thirty Rounds scarcely reaching the top thereof; but his resolution was such that notwithstanding the inaccessibleness and difficulty, he would not give over. The Enemy had four Pieces of Cannon upon it, which they plied with round, and Case-shot upon our Men; his Lieut. Col. *Bowen*, and others, were two Hours at Push of Pike, standing upon the Pallizadoes, but could not enter. Col. *Hammond* being enter'd the Line, and Capt. *Ireton* with a Forlorn of Col. *Rich* his Regiment, interposing with his Horse, between the Enemy's Horse, and Col. *Hammond*, received a Shot with two Pistol-bullets, which broke his Arm; by which means the entrance of Col. *Hammond* did Storm the Fort on that part which was inward; by which means Col. *Rainsborough*, and Gol. *Hammond*'s Men enter'd the Fort, and immediately put almost all the Men in it to the Sword. 21 *Caroli.*

And as this was the place of most difficulty, so of most loss to us on that side, and of very great honour to the Undertaker; the Horse did second them with great resolution. Both these Colonels do acknowledge, that their Interposition between the Enemy's Horse, and their Foot, was a great means of obtaining of this strong Fort, without which all the rest of the Line to *Froom*-River would have done us little good; and indeed neither Horse nor Foot would have stood in all that way in any manner of security had not the Fort been taken.

Major *Bethel*'s were the first Horse that enter'd the Line, who did behave himself Gallantly, and was shot in the Thigh, had one or two shot more, and had his Horse shot under him. Col. *Birch* with his Men, and the Major General's Regiment, enter'd with very good resolution where their Post was; possessing the Enemy's Guns, and turning them upon them.

By this, all the Line from *Pryors*-Hill Fort to *Avon* (which was a full Mile) with all the Forts, Ordnance and Bulwarks, were possessed by us, but one, wherein there were about Two hundred and twenty Men of the Enemy, which the General Summoned, and all the Men submitted.

The Success on Col. *Welden*'s Side did not answer with this; and although the Colonels, and other the Officers and Soldiers, both Horse and Foot, testified as much resolution as could be expected; Col. *Welden*, Col. *Ingolsby*, Col *Herbert*, and the rest of the Colonels and Officers both of Horse and Foot, doing what could be well looked for from Men of Honour; yet what by reason of the heighth of the Works, which proved higher than report made them, and the shortness of of the Ladders, they were repulsed with the loss of about an hundred Men; Col. *Fortescue*'s Lieut. Col. was killed, and Major *Cromwell* dangerously shot, and two of Col *Ingolsby*'s Brothers hurt, with some Officers.

Being possessed of thus much as hath been related, the Town was fired in three places by the Enemy, which we could not put out; which begat a great trouble in the General, and us all, fearing to see so famous a City burnt to ashes before our faces. Whilst we were viewing so sad a Spectacle, and consulting which way to make further advantage of our Success, the Prince sent a Trumpet to the General, to desire a Treaty for the Surrender of the Town; to which the General agreed, and deputed Col. *Montague*, Col. *Rainsborough*, and Col. *Pickering* for that Service, authorizing them with Instructions to Treat and conclude the Articles, which are these inclosed.

For performance whereof Hostages were mutually given. On *Thursday* about Two of the Clock in the Afternoon, the Prince marched out, having a Convoy of Two Regiments of Horse from us, and making Election of *Oxford* for the place he would go to, which he had liberty to do by his Articles.

The Cannon which we have taken are about One hundred and forty mounted, about one hundred Barrels of Powder already come to our hands, with a good quantity of Shot, Ammunition and Arms. We have found already between Two and three thousand Musquets. The Royal Fort had Victuals in it for One hundred and fifty Men, for Three hundred and twenty days; the Castle Victualled for near half so long. The

Prince

An. 1645. Prince had Foot of the Garrison, as the Major of the City informed me, Two thousand five hundred, and about one thousand Horse, besides the Trained Bands of the Town, and Auxiliares one thousand, some say, one thousand five hundred. I hear but of one Man that hath died of the Plague in all our Army, although we have Quarter'd amongst, and in the midst of infected Persons and Places: We had not kill'd of ours in the Storm, nor all this Siege, Two hundred Men.

Thus I have given you a true, but not a full account of this great Business; wherein he that runs may read, that all this is none other than the Work of God: He must be a very *Atheist* that doth not acknowledge it.

It may be thought that some Praises are due to these Gallant Men, of whose Valour so much mention is made: Their humble Suit to you, and all that have an Interest in this Blessing, is, that in the remembrance of God's Praises, they may be forgotten. It is their Joy, that they are Instruments of God's Glory, and their Gountry's good: It is their Honour that God vouchsafes to use them. Sir, They that have been employed in this Service know, that Faith and Prayer obtained this City for you: I do not say ours only, but of the People of God with you, and all *England* over, who have wrestled with God for a Blessing in this very thing. Our desires are, that God may be Glorified by the same Spirit of Faith by which we ask all our Sufficiency and have received it; it is meet that he have all the Praise. *Presbyterians, Independents*, all have here the same spirit of Faith and Prayer, the same Presence and Answer; they agree here, have no names of difference: Pity it is it should be otherwise any where. All that believe, have the real Unity, which is most Glorious, because inward; and Spiritual in the Body, and to the Head. For being united in Forms, commonly called Uniformity, every Christian will, for Peace sake, study, and do as far as Conscience will permit. And for Brethren in things of the Mind, we look for no compulsion, but that of Light and Reason, in other things God hath put the Sword in the Parliament's hands, for the terror of evil doers, and the praise of them that do well. If any plead exemption from it, he knows not the Gospel; if any would wring it, out of your hands, or steal it from you under what pretence soever, I hope they shall do it without effect; that God will maintain it in your hands, and direct you in the use thereof, is the Prayer of

Bristol, Sept. 14, 1645. *Your Humble Servant,*

OLIVER CROMWELL.

21 *Caroli.*

Chap. III.

The Proceedings of Fairfax's *Army*, &c.

THE Parliament being thus become Masters of *Bristol*, on *Saturday*, *Sept.* 13. a Council of War was called in their Army to advise whether they should march presently for the Relief of *Plimouth*, and further Parts of the *West*, or to clear those Garrisons that did interpose between the *West* and *London*; which latter was very necessary, for that if those Garrisons were not reduced, they would hinder Correspondency between *London* and the Army except at high Rates, of very excessive Trouble and Charge to the Army by Convoys upon every occasion. But it was resolved for the present to attempt only the taking in of *Berkley* and the *Devizes*, as those that were the nearest, deferring the rest to further Opportunities. Colonel *Rainsborough* for that purpose was Commanded to march with a Brigade (consisting of Major Gen. *Skippon*'s, Col. *Herbert*'s and Lieut. Col. *Pride*'s Regiments) for the taking in of *Berkley*-Castle (already blocked up by Horse) the only Garrison considerable left in the County of *Gloucester*, interrupting the Passage between that City and *Bristol*. Lieut. Gen. *Cromwell* was designed by the General with another Brigade (consisting of Col. *Montague*'s, Col. *Pickering*'s, Sir *Hardress Waller*'s and Col. *Hammond*'s Regiments) for the taking in of the *Devizes* and *Laicock*-House. A Council of War called.

Wednesday, *Sept*. 17. General *Fairfax* marched to *Bath*, and rested there four or five Days, for the better Recovery of his Health, having been much wearied out, and spent with the Fatigues he endured at *Bristol*-Siege.

During which time *Cromwell* sat down before the Castle of the *Devizes*, which commanded the County of *Wilts*, and was situate in the Road of Traffick between the *West* and *London*; a Place of great Strength, having been an old Fortification, raised on a huge Mount of Earth; the Governour Sir *Charles Lloyd*, a stout Gentleman, and a good Engineer, had added to the Strength of its natural Situation what Art could do; having cut out of the main Earth several Works commanding one another, and so strong that no Cannon could pierce them; besides that, being Pallizado'd and Stockado'd in most Places, it was a matter of extream Difficulty to storm it: *Cromwell* having conveniently planted his Cannon and Mortar-pieces, on *Sunday* at One of the Clock he sent in to Summon the Castle. Lieut. Gen. *Cromwell* set down before the *Devizes*.

The Governour sent forth Word, That the King his Master put him in Trust, and he desired ten Days time to send to him; in the mean time he would keep it for the King. *Cromwell* in Reply wished him not to let slip such an Opportunity: But if he were otherwise resolved, gave leave to send forth his Lady, and such other Gentlewomen as were in the Castle; adding that none were more fitting to keep strong Holds, Forts and Castles, than the Parliament for the use of the King.

But all that the Governour returned was, *Win it and wear it*. Upon Receipt of which Answer, *Cromwell* having put all things in readiness for a Storm, gave Command to the Cannoniers presently to give fire, and also to play the Mortar-pieces; which was according-

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The Governour Capitulates.

ly done, and some of the Granadoes breaking in the midst of the Castle (being open above) killed several of their Men, and much endangered the Blowing up of the Magazine; which so startled them, that on *Monday* about Eight of the Clock in the Morning, the Governour sent forth for a Parley, and about Eleven of the Clock *Cromwell* sent them in these Propositions following.

Conditions of Surrender.

1. That all Commanders and Gentlemen should march to any Garrison the King had within thirty Miles, with their Horse and Arms: And that all private Soldiers should march away leaving their Arms behind them, but to go to the same Garrisons the Commanders marched to.

2. That all Gentlemen should have Liberty to go to their own Homes, or beyond the Seas.

3. That all Soldiers that have been formerly in the Parliament's Service, should be delivered up to the Lieut. Gen. and all Soldiers that would take up Arms in the Parliament's Service should be entertained.

The *Devizes* Surrender'd, *Sept.* 23.

To these Propositions a speedy Answer was desired, that so they might march away by Four of the Clock in the Afternoon. The Governour seeing no other Remedy, agreed to them all, (saving in point of Time) and delivered up the Castle on the Morrow at Ten of the Clock, at which time they marched out. The Governour and his Officers with their Arms, and his Foot without Arms, having the Liberty of Three Carriages, and a safe Convoy to *Worcester*. The Number of Soldiers that marched out were about 400. In the Castle was found a very plentiful Magazine of Victuals, good Store of Ammunition, and two Pieces of Ordnance.

Col. *Pickering* sent to reduce *Laicock*-House the same day.

No sooner was the *Devizes* gained, but the same Day Col. *Pickering* with his own and two Regiments more, was Commanded to *Laicock*-House, a Garrison of the King's kept by Col. *Bovile*, who considering that neither *Bristol* nor the *Devizes* were able to hold out against such Force, did easily resolve, that *A poor House* was much less able (though in truth there were good Works about it) therefore upon the first Summons, he came to Conditions of Surrender, and had Honourable Terms granted him: Upon which he march'd out the next Day towards *Exeter*, *viz.* Himself, his Officers and Soldiers, with their Arms and Baggage.

Berkley-Castle Stormed by Col. *Rainsborough*.

The same Day Col. *Rainsborough* with his Forces before *Berkley*-Castle Storm'd the Out-works and the Church, which were the main Strength of the Castle, with Scaling Ladders, performing the Service with so much Resolution, as quickly made them Masters of the Place; wherein were taken ninety Prisoners, besides forty put to the Sword, amongst whom were a Major and a Captain. This was such a terror and discouragement to those within the Castle, to see the Execution done upon theirs in the Church and Out-works, that the Governour Sir *Charles Lucas* perceiving the planting of their Ordnance against him upon his own Works (which were newly lost, whereby they had a great Advantage to play into the Castle) sounded a Parley, which was yielded to, and Commissioners sent out to Treat, and the Castle was Surrender'd upon these Articles.

Berkley-Castle Surrender'd, *Sept.* 26.

The Soldiers to march out without Arms; the Governour Sir *Charles Lucas* with Three Horses and Arms, and not above Fifty Pound in Money, every Field-Officer with Two Horses, and but Five Pound in Money; Foot-Captains with Swords, but no Horses; the Soldiers with not above Five Shillings apiece.

21 *Caroli.*

There march'd out of this Castle about 500 Horse and Foot, who left in it Eleven Pieces of Ordnance, Provision of Victuals for Six Months (afterwards sold for a good Value, for the Use of the Soldiery.) On the Besiegers-side were lost in that Service one Captain, and divers common Soldiers, and many wounded. Col. *Herbert* as he led on his Men to storm, was shot through the Hat, but without further Hurt.

On *Sept.* 26. *Fairfax* having call'd a Council of War, wherein it was resolved to march with the Main Body of the Army into the *West*, sent away his Lieut. Gen. *Cromwell* with the before-mention'd Brigade (consisting of Four Regiments of Foot, and Three Regiments of Horse) to attempt the taking in of the Garrisons of *Winchester* and *Basing*-House, which would otherwise interrupt the Entercourse between *London* and *Fairfax*'s Army.

Accordingly *Cromwell* advanced to *Winchester*, and took it upon Articles. Touching the manner of which he gave this following Account to the General.

Lieut. Gen. *Cromwell's* Letter of the taking of *Winchester.*

SIR,

I Am come to *Winchester* on the *Lord's-Day*, being the Twenty-eighth of *September*, with Col. *Pickering*, commanding his own, Col. *Montague*'s, and Sir *Hardress Waller*'s Regiments. After some Dispute with the Governour, we enter'd the Town; I summoned the Castle, but was denied; whereupon we fell to prepare our Batteries, which we could not perfect, some of our Guns being out of order, until *Friday* following; Our Battery was Six Guns, which being finished, after once firing of them round, I sent him a second Summons for a Treaty, which they refused; whereupon we went on with our Work, and made a Breach in the Wall, near the Black Tower, which after about 200 Shot, we thought Stormable, and purposed on *Monday* Morn to attempt it. On *Sunday* about Ten of the Clock, the Governour beat a Parley, desiring to Treat: I agreed unto it, and sent Col. *Hammond* and Maj. *Harrison* in to him, who agreed unto these inclosed Articles.

The Castle was well Manned, with 680 Horse and Foot, there being near 200 Gentlemen Officers, and their Servants; well Victualled, with 1500 Weight of Cheese, very great Store of Wheat and Beer, near Twenty Barrels of Powder, Seven Pieces of Cannon, the Works were exceeding good and strong. It is very likely it would have cost much Blood to have gained it by Storm: This is repeated to you, that God may have all the Praise, for it is all his due. Sir, I rest,

Your Most Humble Servant,

O. CROMWELL.

Articles agreed upon the Fifth of *October* 1645, between the Right Honourable *William* Viscount *Ogle*, Governour of the Garrison of the Castle of *Winton*, of the one part, and Col. *Robert Hammond*, and Major *Thomas Harrison*, on the Behalf of Lieutenant General *Oliver Cromwell* of the other Party, for the Surrender of the said Castle.

1. That the Lord *Ogle* shall deliver up the Castle of *Winchester* with all the Arms, Ordnance, Ammunition, Provision, and all Function of War whatsoever, without any Imbezelment, Wast or Spoil unto that Officer or Officers as shall be thereunto appointed by the said Lieut General to Morrow being *Monday* the Sixth of *October*, by Three of the Clock in the Afternoon.

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2. That the said Lord *Ogle* shall have his own Colours, and One hundred fix'd Arms for his Guard, and One hundred Men to carry them.

3. That the Lord *Ogle*, and all the Officers in Commission, shall march out of the said Castle with their own Horse and Arms, and their own proper Goods, unto *Woodstock*, whither they shall be safely Conveyed.

4. That there shall be allowed to the Lord *Ogle* and his Officers Six Carriages for the Transporting of their Goods aforesaid.

5. That all Officers, Gentlemen, Clergymen, and Inhabitants of the City of *Winchester*, and all Officers within the Guards, desiring it, may be at their own time free from all Violence and Injury of the Parliament's Forces.

6. That the Lord *Ogle* shall give sufficient Hostages for the Performance of the Articles here Constituted on their Part to be performed, as for the safe Return of the Convoy.

Provisions found there, viz.

Seven Pieces of Ordinance.
Seventeen Barrels of Powder.
Two Thousand Weight of Musquet-Bullet.
Eight hundred Weight of Match.
Thirty eight Hogsheads of Beef and Pork.
Fifteen thousand Weight of Cheese.
Eight hundred Pound of Butter.
One hundred and forty Quarters of Wheat and Meal.
Three Hogsheads of *French* Wine.
Ten Quarters of Salt.
Twenty Bushels of Oatmeal.
Seventy Dozen of Candles.
Thirty Load of Wood.
Forty Quarters of Charcoal.
Thirty Bushels of Seacoal.
Fourteen Sheep.
Four Quarters of fresh Beef.
Seven thousand Weight of Bisket.
One hundred and twelve Hogsheads of Strong Beer.

The Castle was Manned with 700 Men, divers of them Reformadoes; the Chief Men there were Visc. *Ogle* the Governour, Sir *John Pawlet* an Old Soldier, Sir *W. Courtney*, and Col. *Bennet*, also Dr. *Curle* the Bishop of *Winchester*, who was safely convey'd to me.

A Complaint being made by some of the Garrison for Injuries they had sustained at their marching forth of *Winchester*, by being Plundered, contrary to the Articles, by some of the Parliament's Troopers; the matter was inquired into, and the Troopers that did it were apprehended and tryed by a Council of War, and condemned to die, and after Lots cast for their Lives (being Six of them) he whose Lot it was, was Executed. And the other Five were sent with a Convoy to *Oxford*, with a full Account of this Proceeding to Sir *Tho. Glemham* His Majesty's Governour there, to be delivered over as Prisoners, and to be put to death, or otherwise punished as he should think fit. Which Justice was so well resented, that Sir *Thomas Glemham* returned the Prisoners back again, with an Acknowledgment of the Lieut. General's Civility in being so tender of Breach of Articles.

From

From *Winton Cromwell* advanc'd to *Basing*, the House of my Lord Marquis of *Winchester*, which he having strongly Fortified kept Garrison therein himself for His Majesty, and had already withstood several Sieges, and always beat off the Enemy, or forced them to rise with Loss: The Marquis declaring, That if the King had no more Ground in *England* but *Basing*-House, he would adventure as he did, and hold it out to the utmost Extremity; insomuch, That this House was called by the King's Party *Loyalty*. The Works were many, the Line of Circumvallation above a Mile in Compass. The old House had stood some Hundreds of Years, but the new one surpassed in State and Beauty, and either of them were fit for a Royal Place. 21 *Caroli.*

Cromwell knew the Resolution of this Garrison, and therefore whatever it cost him resolved to storm it, wherein he succeeded, and became Master of it on *Tuesday* the 14*th* of *October*, which was thus related by him in his Letter to the *Speaker*.

SIR,

I Thank God I can give you a good Account of *Basing*: After our Batteries placed, we settled the several Posts for the Storm: Col. *D'Albier* was to be on the North side next the *Grange*; Col. *Pickering* on his Left-hand, and Sir *Hardress Waller*'s, and Col. *Montague*'s Regiments next him. We stormed this Morning, after Six of the Clock; the Signal for falling on, was the firing four of our Cannon, which being done, our Men fell on with great Resolution and Cheerfulness; we took the two Houses without any considerable Loss to our selves: Col. *Pickering* stormed the New House, passed through and got the Gate of the Old House; whereupon they summoned a Parley, which our Men would not hear; in the mean time Col. *Montague*'s, and Sir *Hardress Waller*'s Regiments assaulted the strongest Works where the Enemy kept his Court of Guard, which with great Resolution they recovered, beating the Enemy from a whole Culverin, and from that Work, which having done, they drew their Ladders after them, and got over another Work, and the House-Wall before they could enter. In this Sir *Hardress Waller* performing his Duty with Honour and Diligence, was shot in the Arm, but not dangerously. We have had little Loss; many of the Enemy our Men put to the Sword, and some Officers of Quality; most of the rest we have Prisoners, among which the Marquis, and Sir *Robert Peak*, with divers other Officers, whom I have ordered to be sent to you: We have taken about Ten Pieces of Ordnance, much Ammunition, and our Soldiers a good Encouragement. *Cromwell's Letter giving an account of the Storming and taking of Basing-House.*

I humbly offer to have this Place slighted for these Reasons: It will ask 800 Men to Man it; it is no Frontier, the Country is poor about it, the Place exceedingly ruin'd by our Batteries and Mortar-Pieces, and a Fire which fell upon the Place since our taking it. If you please to take the Garrison of *Farnham*, some out of *Chichester*, and a good Part of the Foot which are here under *D'Albier*, and make a strong Quarter at *Newbery*, with three or four Troops of Horse; I dare be confident it would not only be a Curb to *Denington*, but a Security and Frontier to all those Parts, and by lying there, will make the Trade more secure between *Bristol* and *London* for all Carriages; and I believe the Gentry of *Sussex* and *Hampshire* will with more cheerfulness contribute to maintain a Garrison on the Frontier than in their Bowels, which will have less Safety in it. Sir, I hope not to delay, but march towards the *West* to Morrow, and to be as diligent as I may in my Expedition thither. I must speak my Judgment to you, that if you intend to have your Work carried on, Recruits of Foot must be had, and a Course taken to pay your Army; else believe me, Sir, it may not be able to answer the Work you have for it to do.

I intreated Col. *Hammond* to wait upon you, who was taken by a Mistake whilst we lay before this Garrison, whom God safely delivered to us,

An. 1645. us, to our great Joy, but to his Loss of almost all he had, which the Enemy took from him.

The Lord grant that these Mercies may be acknowledg'd with all thankfulness: God exceedingly abounds in his Goodness to us, and will not be weary, until Righteousness and Peace meet, and that he hath brought forth a Glorious Work for the Happiness of this poor Kingdom; wherein desire to serve God and you, with a faithful Heart,

Basingstoke, Octob. 14. 1645. *Your Most Humble Servant,*

O. CROMWELL.

Langford-House Surrender'd to *Cromwell, Oct.* 8*th.*

From *Basing*, *Cromwell* march'd to *Langford*-House (near *Salisbury*) and facing the same with Part of his Brigade, sent in a Summons, and the Governour considering that *Winchester* and *Basing* had not been able to resist that Force, and how much less he could hope to withstand them, yielded to Surrender upon Articles, that the Commanders in chief should march away with Horse and Arms, the Gentlemen therein not exceeding Fourteen, with Swords and Pistols, and the private Soldiers without Arms; and the Goods in the said House to be delivered to the several Owners within two Days upon Demand.

The General marches to *Warminster.*

In the mean time General *Fairfax* on *Saturday*, *Sept.* 27. march'd to *Warminster*, and there made an Halt for two or three Days, till Col. *Rainsborough* from the taking of *Berkley*-Castle might come up to him. On the 30*th* the Army advanc'd to *Shaftsbury*, being so out of Money that they were all forced to take free Quarter, and so on by continual Marches to *Chard*, whence on *Wednesday*, *Octob.* the 8*th*, *Fairfax* went to *Lyme* to see the State of that Garrison, where he staid all Night. On the 11*th* of that Month the Money which had been so long expected from *London*, arrived at the Head-Quarters at *Chard*, and the same Night the Army was paid, having been ever since the taking of *Bristol* without Pay.

To *Axminster.*

On *Monday*, *Octob.* 13. Part of *Fairfax*'s Army being advanced to *Axminster* (and the Lord *Goring* with near 1500 Horse being come on this side the River *Ex*, as far as *Poltimore*.) In the Night his Lordship, the Lord *Wentworth*, the Lord *Miller*, and a strong Party of Cavalry passing through *Hunnington*, came on to *Blackdown*, fell into *Fairfax*'s Quarters, and took Prisoners about forty Foot, and twenty Dragoons. The next Night *Fairfax*'s Horse, and most of his Foot lay in the Field about *Hunnington*, fearing the like Surprize, or that the Lord *Goring* should attempt to break through them to joyn with the King, but on the 15*th* understanding the Lord *Goring* was marched over the River *Ex*, *Fairfax* caused Part of his Army to be Quartered along that River, at *Broadnixe*, *Silverton*, and *Columb-John*, within three or four Miles of *Exeter*, to prevent his Return, and with the rest of the Army marched to *Tiverton*, where Major-General *Massey* with his Horse, and Col. *Welden*'s Brigade had been to block it up.

On *Saturday*, *Oct.* 18. The Batteries were raised, and the next Day after Forenoon Sermon, a Council of War being called, it was resolv'd to storm (the season of the year not admitting loss of time) but whilst they were consulting the manner how to order the Attack, the Ordnance playing hard against the Works and Castle, a Round-shot happen'd to break the Chain of the Draw-Bridge, whereby the Bridge fell down, and immediately the Soldiers spying that Advantage, without

Tiverton Castle taken by *Fairfax, Oct.* 19*th.*

without waiting for Orders, possess'd themselves of the Bridge, enter'd the Works, and made themselves Masters, first of the Church-yard, and soon after of both the Church and the Castle. Col. Sir *Gilbert Talbot* the Governour, who had made as brave a Defence as was possible in such a Juncture, being taken Prisoner with about 200 more, amongst whom was one Major *George Sadler*, who formerly served the Parliament, but deserted them, and betook himself to the King's Party, but had lately made several private Overtures if he might be pardoned, which being rejected, and he now taken, was called before a Council of War, and condemned to suffer Death for his former Desertion, who to save his Life broke Prison (after Sentence) and fled to *Exeter*, but there was again by the Royal Party tried by a Council of War, for endeavouring to betray their Cause after he had undertaken it, being charged to have treacherously quitted his Posts in this Action at *Tiverton*, and for the same was adjudged to die, and executed accordingly.

Treachery remarkably punish'd.

In the next Place, *Fairfax*'s Army resolved to try their Fortunes on the City of *Exeter*, where his Majesty had a strong Garrison; for though they had a great mind to relieve *Plimouth*, which at the same time was Besieged by the Royal Party, yet finding their Army much weaken'd and tir'd, it was not thought fit to advance thither, and leave such a Force as there was in *Exeter* behind them: Therefore on *Monday*, *Octob.* 20. *Fairfax* marched to *Silverton*, thence to *Newton Siers*, and on the 23*d* came to a Rendezvous at the Beacon, within three Miles of *Exeter*, and made his Head-Quarters that Night at *Crediton*, where he received Intelligence that the Lord *Goring* with a considerable Party of Horse was gone out of *Exeter* towards *Okehampton*, and soon after to *Tavestock*.

On the 28th of *October*, it was concluded at a Council of War, to make several Garrisons, first on the East-side of *Exeter*, as at *Bishops-Clyffe*, *Stoak* and *Poultimore*, which being once finish'd, a few Men might keep them, and cut off Provisions from the City that way, and then the whole Army might be at Liberty to go on the other side of the Town to do the like there afterwards. In pursuance whereof Garrisons were form'd accordingly on the East-side of the River *Ex*, and the General with the Train of Artillery repair to St. *Mary Autree*, making that his Head-Quarters, where he continued till the second of *December*, but in the mean time by Reason of the Season, and want of Accommodations, abundance of his Army, especially the Foot, were sick, and many died, seldom less than seven, eight or nine in a Day in the Town of *Autree*, and amongst the rest Col. *Pickering* died, and some other Officers. The Royal Party had notice of this Consumption of *Fairfax*'s Army, and his Highness the Prince of *Wales* was not wanting in his Industry to raise Forces in *Cornwall* and *Devon*; and to draw together the Forces from their Quarters before *Plimouth*, and some Foot from *Dartmouth* and *Barnstaple*, which together with the Recruits brought in by Sir *Richard Greenvile*, made a formidable Body, consisting in all of eight or nine thousand Horse and Foot, and were Quarter'd about *Tavestock*, *Okehampton*, &c. intending to oblige *Fairfax* to rise from the East-side of *Exeter*. Who having Intelligence of their Preparations and Advance, and having now pretty well settled his Garrisons on that side, ordered several Regiments of his Foot to remove beyond the River to *Crediton*, a Place better situated for Air, who shortly after made an Attempt on *Pouldrum-*House,

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House, where the King had a Garrison; but after hard Service, they were forc'd to quit that Design, and Retreat.

On *December* 26. *Fairfax* had further Advertisement from *Plimouth*, and confirm'd by several of his Spies, that the King's Forces were advancing towards him, most of their Horse being come to *Okehampton*; which quicken'd him into Thoughts of marching to meet them, and drew up his Horse and some Foot at *Cadbury*-Hill, and in the mean time made Provisions for a continued March; having in his Thoughts the Garrison of *Dartmouth*, by Carriages on Horse-back, those Parts admitting no other. On *Jan.* the 8*th*, all things being in Readiness, the Horse and Foot set forwards to *Crediton*; but to amuse the King's Forces, as if the Army had bent towards *Okehampton*, Sir *Hardress Waller* with two Regiments march'd to *Bow*, and had a Skirmish with some Horse and Dragoons there Quarter'd, and took some Prisoners, whilst at the same time a Brigade of Horse and Foot Commanded by *Cromwell*, advanced that Night to *Crediton*, and the next Day (tho' very cold and much Snow on the Ground) came to *Bovey-Tracy*, where Part of the Lord *Wentworth*'s Brigade then lay, whom they surprizing thus unexpectedly, took between three and four hundred Horses, but most of the Men through the Darkness of the Night got away, except one Major, and some few other Officers, and about fifty Common Troopers, who were taken Prisoners, and seven Colours left behind. On the 10*th* *Fairfax* advanced to *Ashburton*, and the next Day to *Totness*, and whilst he prepared to attack *Dartmouth*, sent out strong Parties of Horse after the King's Forces towards *Tavestock*, whom they apprehending to be the Van of the whole Army, which they supposed to be following, hasten'd their March, quitted the Siege before *Plimouth*, leaving their Forts undemolish'd, with Seven Pieces of Ordnance, and Four Barrels of Powder, which at that Season of the Year, and in those ways, they could not carry off, and so pass'd the River *Tamar* into *Cornwall*.

Royalists Quarters at *Bovey-Tracy* Beaten up, *Jan.* 9. 1645.

Dartmouth having return'd a resolute Negative Answer to the Summons sent in, it was resolved to storm the Town; and whilst Provisions were making for that Purpose, Capt. *Batten* a Commander at Sea for the Parliament, came before the Haven with a Squadron of Ships (being sent for by *Fairfax*) to assist by Sea, and keep any Ships from going out of the Harbour, whilst it was Storm'd by Land, who also Landed 200 of his Seamen, who had their Post allotted them on Shore, and did great Service in the Storm, which began on *Sunday*, *Jan.* 18. about Eleven a Clock at Night. The Assailants Word given was, *God with us*, and the Signal of the Soldiers, their Shirts out before and behind. They went on with so much Fury and Resolution, that after the Town had discharged once, before they could get ready a second, they were got under their Cannon, and quickly possess'd them, and turn'd them on the Town, for they had no great Pieces of their own there, the Way and Weather not admitting any to be drawn to that Place, where there were near an Hundred Pieces mounted against them. The Particulars of this Action were related by General *Fairfax*, as followeth in a Letter to the House of Peers.

Dartmouth Stormed and taken by *Fairfax*, *Jan.* 18*th*. 1645.

My Lords,

My Lords,

AFter my coming to *Totness*, the Enemy rising in great disorder from their siege at *Plimouth*, leaving their Guns and some Ammunition behind them, I considered with those about me of attempting upon *Dartmouth*; and it being concluded affirmatively, I caused Two Regiments of Foot to march to *Ditsam*, and Two to *Stoke-Fleming*, being on the West-side of *Dart*-River. I having Summoned the place before, resolv'd upon *Sunday* Night to attempt it by Storm, which was agreed to be done in three Places; the first Post was on the West-Gate by Colonel *Hammond*; on the North-end of the Town by Lieut. Col. *Pride*; and on *Tunstall* Church and Works by *Fortescue*: The time resolved upon was in the Evening; our Men fell on with great Resolution, to whom Col. *Lambert's* Regiment was a Reserve, and to Alarm the Enemy elsewhere. Col. *Hammond* enter'd the West-Gate, where Four Guns where planted, and Two upon the Mill-Pool, upon his Flank, (the Enemy firing his Great Guns but once): His Men that had the Forlorn Hope did very Gallantly (as indeed they did all) and went freely on, and beat off the Enemy, and possessed one Fort after another, *viz.* *Mount Flagon*, the West Gate, *Paradice* Fort, and beat off the Main Guard, where were taken Four Lieut. Colonels; and so possessed the Town, from the West-Gate to Little *Dartmouth*. In the interim Lieut. Col *Pride* attempted the North-part of the Town, called *Harness*, where beating off the Enemy, he enter'd, and took about Eighty Prisoners in it, and by it possessed all the North-part of the Town, unto the Draw-Bridge, which divided the North-part from the rest of the Town, where Col. *Hammond's* Men, and his met. Col. *Fortescue* with his Men attempted *Tunstal*-Church, which was very well Manned with above a Hundred Men, and having in it Ten Guns; his Men after some dispute, with good Resolution enter'd the place and possessed it. So that by this time the Enemy was beaten out of all, except the Great Fort on the East-side of the River called *Kingsworth* Fort, and the Castle, with the Fort that lay over the Castle, at the Mouth of the Harbour, called *Gallants-Bower*; to which last, the Governour and the Earl of *Newport*, and as many as escaped us, fled. After they were forced from their Strengths out of the Town; the Governour coming back from the Castle, to see in what posture the Town was, had a remarkable shot, as he was in the Boat; a Musquet shot was made at the Boat, which pierced the Boat, and both the Thighs of one that sat next to him, and about three Inches into his own Thigh; whereupon he Retreated to the Castle. Our Dragoons with two Companies of our Fire-locks, and some Seamen, were only to alarm *Kingsworth*-Fort, wherein was Sir *Henry Cary* with his Regiment, having in it Twelve Guns, and Twelve Barrels of Powder, and convenient proportion of Ammunition. This was a very strong Fort, with about four good Bulwarks, strong enough to make a troublesome Resistance: But the Enemy came willingly to Terms; and to save time, I willingly condescended to let Sir *Henry Cary* march away with the rest, leaving the Arms, Ordnance, Ammunition, with all Provisions in the Fort, to me, and all engaging themselves never to take up Arms more against the Parliament; which was accordingly performed. Next Morning, being thus Master of all, but the Castle and *Gallants-Bower*, I Summoned that; the Governour was willing to listen unto me, but I held him to those Terms, upon which after some dispute he yielded, which was to deliver himself and all Officers and Soldiers, upon Quarter. He sent me out Col *Seymour*, and Mr. *Denham* for Hostages, with whom came out the Earl of *Newport*, and all was this day performed accordingly. In this Fort and Castle were Eleven Guns with proportion of Ammunition and Provisions. We have taken in the Harbour Two Men of War; one belonging to the Governour of *Barnstaple*, with Twelve Guns, Burthen 200 Tuns; the other belonging to *Newcastle*, formerly Capt. *Johnson's*, of ten Guns.

21 *Caroli.*

Fairfax's Letter to the House of Peers concerning the taking of *Dartmouth*, *Jan.* 20. 1645.

In the Town 103 Pieces of Ordnance, and about 600 Prisoners, and 100 Horse, with good proportion of Arms and Ammunition, one exact

An. 1645. particular whereof I am not able to give your Lordships at present.

There being many of the Town-Soldiers in *Plimouth*, and some Officers, and understanding that that Town hath Two thousand five hundred in Garrison, besides Townsmen, I have sent thither for Five hundred Foot for this place, who quickly will encrease to more; and to this I desire your approbation; for having found more Work to do, I hold it not fit to weaken my Army, especially considering the Recruits designed by you, I doubt, will be too long before they come.

I have given your Lordships a brief account of this Service, which I desire may be accounted a sweet Mercy of God, in a fitting season, and only ascribed to him, who (truly) did direct and act it, and made all the preparation to it, both in the ordering our hearts, and giving health to the Army, who labour'd two Months ago extremely of Sickness, but is now in good disposition generally as to Health. I can say, I find it to be in the hearts of all here, in all integrity to serve you; and that it is so, is still the Mercy of God; for surely the Success of your Affairs only depends upon the ordering of a Gracious Providence, which is no less visible in your Councils, (which we Congratulate) than amongst us; that being the common root and spring of all, and which can and will carry you through the greatest difficulties, and us in serving you, until God hath finished his own Work: Wherein to profess the Obligation and readiness of my self, and the Army, by the same good hand of God is all the undertaking of

Darthmouth, Jan. 20*th* 1645. *Your Lordships most Humble Servant,*

THO. FAIRFAX.

Prisoners taken at Dartmouth.

Sir *Hugh Pollard* Governour, the Earl of *Newport*; Col. *Seymour*, Four Lieutenant Colonels, Two Majors, Fifteen Captains, Fourteen Lieutenants, Nine Ensigns, and one Cornet, besides many Country Gentlemen, Ministers, and Inferior Officers.

All the Common Soldiers being betwixt 800 and 1000, were set at liberty to repair to their Dwellings. Ordnance about 120 mounted; and two Men of War in the Harbour, and soon after a *French* Vessel coming from the Queen struck in there, presuming that Town still in the King's hands, and so was made Prize; they had on Board a Packet of Letters from her Majesty, which as soon as they perceived their mistake they flung into the Sea, but a Boat being sent out to seek it, the same was retriev'd, and several Letters of Importance thereby Intercepted.

On *Monday* the 19*th*, Sir *Henry Cary* who commanded one of the Forts, being after the loss of the Town, necessitated to Parley, and having obtained as Honourable Conditions as in such a Case could be expected, marched out with all his Officers and Soldiers, leaving the Ordnance, Ammunition, *&c.* behind them therein.

Tuesday the 20*th*, the Guns were cleared. The General went aboard Capt. *Batten*'s Ship, where he was Nobly Entertain'd. All the *Cornish* Men that were Prisoners, were set at liberty, and had Two Shillings a Man to carry them home, the better to oblige and win the Affections of that County. Also Commissioners were appointed to dispose of the Prize-goods taken in the Town, towards the Reparation of such in the Town as had adhered to the Parliament, and were damnified by the Storm, who had the greatest part of those Goods distributed amongst them.

And now *Fairfax* having gain'd these advantages by this Diversion, draws back his Army again towards *Exeter*, and having Issu-ed

ed out Warrants to four Hundreds, for the Country to make their Appearance at *Totness* on *Jan.* 24. They came in thither in all to the Number of about 3000, out of whom a Regiment was raised under Col. *Fowel*; which being done, and *Pouldram* Castle Surrender'd to Col. *Hammond* who was sent to attack the same, wherein he found five Barrels of Powder with proportionate Match and Bullet, and four Pieces of Ordnance; On the 27*th* a Summons with an offer of Conditions was sent in to the City of *Exeter*, whereunto the next day an Answer was returned, that they could not in Honour Surrender upon the Terms offered, whilst they were in no worse Condition, and had such probable hopes of Relief from the Prince: To which a Reply was sent; and indeed little besides these Papers past at that time between them, save only that the Parliamentarians now Blockt up the City on the West-side also, by setling Guards and Quarters at *Affington*, *Barley*-House, and *Reymouth*-House within a Mile of the City, and a Garrison kept at *Fouldram*, and some Foot under the Command of Col. *Shapcott*, lay before the Fort at *Exmouth*, so that *Exeter* was compleatly straitned and Blockaded on all sides, and the Command in chief of all these Forces conferred on Sir *Hardress Waller*, whilst General *Fairfax* with the rest of his Army was once more forc'd to march off, to meet the Lord *Hopton*, who (in the absence of the Lord *Goring*, who was gone into *France* to sollicite Aid, or on some other Service for his Majesty) being made Commander in Chief under the Prince, and having been Reinforced with New Levies in *Cornwall*, had used Extraordinary Expedition, marching in one day from *Stratton* to *Torrington* (which is eighteen long miles) with near four thousand Horse, and three thousand Foot, expecting there 1000 Horse and Foot more to joyn them from *Barnstaple*, and having with them great store of Cattel, Sheep, Salt and other Provisions for the Relief of *Exeter*.

21 *Caroli.*

Pouldram Castle Surrender'd, *Jan.* 25.

To oppose them, *Fairfax* on the 10*th* of *February* march'd from *Chidley* to *Crediton*, where waiting till Supply of Money, and some other Forces came up to him, he advanced on the 14*th* to *Chimley*, and from thence to *Torrington*, where a smart Engagement happened. The Account of which as it was given to the House of Commons in a Letter from General *Fairfax* ran thus.

To the Honourable William Lenthal, *Esq; Speaker of the Honourable House of Commons.*

Mr. *Speaker*,

Plymouth being set free, and *Dartmouth* taken, I sent Col. *Hammond* with part of the Foot to possess part of the Houses near *Exeter*, for the Blocking of it up on the West-side of the River, as formerly I had done on the East, and lay with the rest of the Army, so as to Countenance both that work, and the raising of some Forces in the *Southams* to lie about *Totness* for the securing of that Country, and to keep the Enemy from coming on that side of *Devonshire* again, when the Army should remove to the other; these two things with the continual foul Weather at that time, and the absence of Col. *Cook*, with so many of the Horse, occasioned my stay thereabouts above a Fortnight, in which time the Houses being competently Fortified, and the Forces raising in the *Southams* in good forwardness, I drew the Army up towards *Crediton*, with purpose to advance into the North of *Devonshire* also, either by the taking of *Branstaple*, or by Blocking of it up, and raising a Force in that well

Fairfax's Letter concerning the Fight at *Torrington.*

An. 1645. well affected corner to keep it in, so as having all clear, or made fast behind me, I might the better follow the remaining Field-force of the Enemy into *Cornwall*. And to continue the Blocking up of *Exeter* on the West-side, I left Sir *Hardress Waller* with Three Regiments of Foot, and one of Horse of this Army, and advanced with Five Regiments of Horse, and Seven Regiments of Foot, and Five Troops of Dragoons, the rest of the Horse and Dragoons being absent with Col. *Cook* in *Dorsetshire*, but then sent for to come up, when I was resolved upon my Advance this way. The Enemy at the same time advanced out of *Cornwall* with all the Foot to *Torrington*, about which their Horse did lie before, and began to Fortify the Town; their Intentions therein, as we conceived, and do since further find, where by advantage of this place and their Garrison of *Barnstaple* so near it, to make this part of *Devonshire* more surely theirs, and more difficult for us to come into, and lying so much the nearer to *Exeter* (against which they supposed this Army wholly engaged) to take their best advantages from hence; and from *Chimley*, which they meant also to have possessed, to relieve *Exeter* on the North-side, or disturb us in the Siege. And it is probable they might have a further purpose in their Posture here, to secure the Landing of *Irish* or *Welsh* Supplies so much the forwarder towards the East.

On *Saturday* last, I advanced from *Crediton* to *Chimley*, where by many Prisoners I was informed, that the Lord *Hopton* had hereabouts Four thousand Horse, and Three thousand Foot; We believed them to be about Two thousand Foot or upwards, and Three thousand Horse; the extream foulness of Weather that day and the next, occasioned me not to advance from about *Chimley* for the next Night, save only one Foot-Quarter, and an Horse-Guard advanced to *Rings-Ash*, three miles towards the Enemy, to secure a Rendezvous so much the nearer to them; for the day following I understood by the best Intelligence, that the Enemy was resolved to make good their Station, and set their rest upon it to fight us there if we would come up to them; and truly Men in their condition could not hope (all things considered) to have more for it, their Horse for number superior to what I brought up with me; their Foot, as I find since, nor much inferior; and if they could with all their Force make good this Town, and put us to lie in the Field, there being no Villages near it that could shelter the Army, the wet Weather continuing, which was then most likely, would have forced us to draw back and make our Fire-Arms little useful, either for Assault or Defence. And besides, we were like for matter of Provisions to be forced to draw off first, they having both by their posture, with the plentiful Country of *Cornwall* behind them, and a River at their backs, securing also a good part of *Devonshire* unto them, and by their Strength of Horse, much advantage for longer Subsistence than we. And we by the barrenness of the place where we must have lain before them, especially for Horse-meat, their Garrison of *Barnstaple* lying partly behind us, their Horse more numerous than ours, which might with stronger Parties cut off our Supplies, had little possibility to subsist long before them. These Considerations we had in our Eye to discourage us from going on, as I believe they had to encourage them to stand; yet on the other side, finding that by reason of the barrenness and long exhausting of our Quarters behind us, we could neither keep our Horse so close together as to lie safe so near the Enemy, nor indeed find Subsistence for the Army, either where we were, or in any other Quarters more backward, where we could lie so as to secure the Siege of *Exeter* from Relief; and upon all Considerations conceiving the Affairs of the Kingdom did require us, and God by all did call us to make a present Attempt upon the Enemy: We resolved to go on, to try what God would do for us, and trust him for Weather, Subsistence, and all things.

Accordingly on *Monday* Morning I drew out the Army to an early Rendezvous at *Rings-Ash*, within six miles of the Enemy; the Weather still continued very wet, and so by all signs was like to hold till we were advanced

advanced from the Rendezvous. But suddenly when we were upon the march, beyond all expectation it began to be fair and dry, and so continued; whereas we had scarce seen one fair blast for many days before. The Enemy (as we understood by the way) had all their Horse drawn together about *Torrington*, and with their Foot prepared to defend the Town which they had Fortified with good Barricadoes with Earth cast up at every Avenue, and a competent Line patch'd up round about it, their Horse standing by to Flank the same, and some within to scowre the Streets. Our Forlorn-Hope had order to advance to *Stephenson*-Park, about a mile from the Town, and there to stay for the drawing up of the Army, there being no other place fit for that purpose nearer to the Town on that side we came on. But when we came near, we understood that the Enemy had with Two hundred Dragoons possess'd the House in the Park and were Fortifying it, being of it self very strong, but upon our nearer approach, the Dragoons quitted the House, and our Forlorn-Hope falling on them, took many Prisoners; and pursuing them near the Town were engaged so far as that they could not well draw back to the Park, which occasioned the sending up of stronger Parties to make them good where they were, or beating them off; and at last, there being some fear that the Enemy would draw about them and hem them in, Col. *Hammond* was sent up with three Regiments of Foot, being his own, Col *Harlow*'s, and mine, and some more Horse, to lie for Reserves unto them; by which time the Night was grown on, so that it was not thought fit, unless the Enemy appear'd to be drawing away, to attempt any thing further upon the Town till Morning, in regard none of us knew the Ground, nor the advantages or disadvantages of it; but about Nine of the Clock, there being some apprehension of the Enemy's drawing away, by reason of their drawing back some Out-Guards, small Parties were sent out towards the Town's end to make a certain discovery, which going very near their Works, before the Enemy made any firing, but being at last entertained with a great Volley of Shot, and thereupon supposed to be engaged, stronger Parties were sent up to relieve them, and after them the Three Regiments went up for Reserves, till at last they fell on in earnest; after very hot Firings our Men coming up to the Barricadoes and Line, the Dispute continued long at Push of Pike, and with Butt-ends of Muskets, till at last it pleased God to make the Enemy fly from their Works, and give our Men the Entrance. After which our Men were twice repulsed by their Horse, and almost all driven out again, but Col. *Hammond* with some other Officers and a few Soldiers, made a stop at the Barricadoes, and so making good their Re-entrance, rallied their Men and went on again; Major *Stephens* with their Forlorn-Hope of Horse coming seasonably up to second them, the Enemies Foot ran several ways, most of them leaving their Arms, but most of their Officers with the assistance of Horse, made good their own Retreat out of the Town towards the Bridge, and taking the advantage of straight Passages, to make often stands against our Men, gave time for many of their Foot to get over the Bridge; their Horse without the Town, after some attemps at other Avenues to have broken in again upon us, being repulsed, at last went all away over another Bridge, and at several other Passes of the River, and all fell West-ward; the Ground where their Horse had stood, and the Bridge they went over lying so beyond the Town, as our Horse could not come at them, but through the Town, which by reason of strait Passages through several Barricadoes was very tedious, by means whereof, and by reason of continued straight Lanes the Enemy had to Retreat by after they were over the River, as also by the advantage of the Night, and by their perfect knowledge of the Country, and our ignorance therein, our Horse could do little Execution upon the pursuit; but Parties being sent out several ways to follow them as those disadvantages would admit, did the best they could, brought back many Prisoners and Horses; we took many Prisoners in the Town, who being put into the Church where the Enemies Magazine lay, 21 *Caroli.*

An. 1645. ly of above Fourscore Barrels of Powder, as is reported, besides other Ammunition, either purposely by some desperate Prisoner, or casually by some Soldier, the Powder was fired, whereby the Church was quite blown up, the Prisoners and most of our Men that Guarded them were killed, and overwhelmed in the Ruins, the Houses of the Town shaken and shattered, and our Men all the Town over much endangered by the Stones, Timber, and Lead, which with the Blast were carried up very high and scattered in great abundance all the Town over, and beyond; yet it pleased God that few of our Men were slain or hurt thereby, save those in the Church; only our loss of Men otherwise, was small in this Service, though many Wounded, it being a hotter Service than any Storm this Army hath before been upon, wherein God gave our Men great Resolution; and Col. *Hammond* especially, and other Officers Engaged with him, behaved themselves with much Resolution, Courage and Diligence, recovering the Ground after their Men were quite repulsed. Of Prisoners taken in this Service about Two hundred were blown up, Two hundred have taken up Arms with us, and about Two hundred more Common Soldiers remain Prisoners, besides many Officers, Gentlemen, and Servants; not many slain, but their Foot so dispersed, as that of about Three thousand, which the most credible Persons affirm they had there, and we find by a List taken among the Lord *Hopton*'s Papers, themselves did account the more, we cannot hear of above Four hundred that they carried off with them into *Cornwall*, whither their Horse also are gone; being much broken and dispersed as well as their Foot.

By the Considerations and Circumstances in this Business which I have here touched upon, you will perceive whose hand it was that led us to it, and gave such success in it; and truly there were many more evident appearances of the good hand of God therein than I can set forth; let all the Honour be to him alone for ever, being desirous, as God shall see it good, and further enable me, to improve the advantage of this success to the uttermost.

The next day having sent some Regiments of Horse and Foot to advance unto Quarters up towards *Holsworthy*, to set the Enemy more home unto *Cornwall*, and with more terror upon them, I sent also one Regiment of Foot with some Horse, back towards *Branstaple* to possess the Earl of *Bath*'s House at *North Tavistock*, about a mile from *Barnstaple*, on this side the River, whereby the Garrison will be easily kept in on this side, and I shall try what will be done upon it other ways, whilst the Army takes a little rest hereabouts, which the unseasonable Marches, miserable Quarters, and hard Duty both Horse and Foot for many days have been put unto, do necessarily require. But I conceive that as soon as the Army can be fitted for the purpose, it would be best to follow the Enemy home, and throughly into *Cornwall*; the breaking of that Body of Horse that's left there being the likeliest means to prevent or discourage the Landing of any Foreign Forces in these Parts, or the raising of any more out of *Cornwall*; in order to which I must earnestly recommend to your care two things especially, the one to provide by the disposal of your Forces in the Midland Parts, that by Excursions from *Oxford* hitherward, I may not be diverted from prosecution of the Work in *Cornwall* to send again that way, nor the Sieges of *Exeter* and *Barnstaple* disturbed, when I am Engaged further West: The other, that Money may be speeded, if any ways possible, but for a Month or six Weeks to enable the Horse as well as Foot to pay Quarters in *Cornwall*, whereby the oppositions that People might make would in all likelihood be taken off, and their Affections or good Opinions gained, to make them helpful to us against their present Oppressors. There came unto me this day a young Man from *Truro*, who certifieth me, that Sir *Walter Dudley* came very lately from *France*, to let those about the Prince know, that if there were an absolute necessity, they could bring over their Men, with a fair Wind from *France* to be here by the middle of the next Month; expressing that they had near 8000 Foot, and 2000 Horse in readiness, and Three Months

Pay

Pay provided for them, besides Ten thousand Pound in Bullion daily expected, a Mint being ready to Coyn the same, but yet intimated a conveniency in the giving a little more time for their coming over; whereupon Sir *John Culpepper* was to go in all haste to *France* upon *Friday* last, as is supposed on purpose either to hasten all, or a good part of those Forces over. I think it will be very good that as much Shipping as may be obtained be hasten'd into those Parts. I shall upon this Information, and the good Success God hath been pleased to give us, so dispose of the Army, as may most effectually conduce to a speedy and thorough Settlement of these Western Parts of the Kingdom; therefore I desire you again to have a special care, that the Forces about *Oxford* be not permitted to Range into these Parts, when the Army is like to be Engaged so far West, lest it occasion the division of our Forces, and hinder the Accomplishment of that we desire to effect. I remain

21 *Caroli.*

Great Torrington,
Feb. 19. 1645.

Your Most Humble Servant,

THO. FAIRFAX.

Here were taken Lieut. Col. *Wood*, Eight Captains, Commissary *Boney*, Six Lieutenants, One Cornet, Three Ensigns, One Chirurgeon, Four Serjeants, Two and fifty Troopers, One hundred twenty-seven Gentlemen, and about Two hundred Common Soldiers; in all, Four hundred thirty and three. Near Three thousand Arms broken and whole; most of the Ammunition Blown up in the Church, Eight Colours brought in, whereof one was the Lord *Hopton*'s own, with this Motto,

I will strive to serve my Sovereign King.

There were slain Major *Threave*, Captain *Fry*, and some other Officers, Two hundred Soldiers or thereabouts, and as many more Blown up in the Church, several Persons of Quality Wounded, between Four and five hundred Pound in Money taken in my Lord *Hopton*'s Quarters, and much other Plunder.

This unexpected Blow whereby most of their Foot, were scatter'd, prov'd of very ill consequence to his Majesty's Affairs in those Parts; for *Fairfax* by sending out forthwith Parties of Horse after them kept them in continual Alarms. and Glean'd up many Prisoners, so that they chose to Retreat into *Cornwall*, where the Prince's Regiment of about 800 Horse, and some other *Cornish* Horse having Joyn'd them, they made up a Body of about 5000 Horse, and a Thousand Foot, who kept Guards on the other side the River *Tamar*.

A Council of War, and their Resolution to march into *Cornwall.*

On *Saturday*, *Febr.* 21. at a Council of War held in *Fairfax*'s Army, it was unanimously resolved to march into *Cornwall*, and on the 23*d* they began to march with the Van from *Torrington* to *Holsworthy*, and Col. *Butler* with a Party of Horse, and 400 Dragoons was Commanded before to force his Passage over the River *Tamar*, who accordingly performed the same, and about *Stratton* beat up the Quarters of Major General *Webb*, took 400 Horses, and Eighty Prisoners, and possess'd himself of that Town.

On the 25*th* *Fairfax* march'd to *Lanceston*, and after a short Dispute (Col. *Basset* being there with 500 Foot of Col. *Tremayne*'s, and some Horse) obtained the same for his Quarters that Night, and continued there two or three days. In the mean time a Treaty was concluded with the Governour of Mount *Edgcomb* (a place of

great

An. 1645.

great Strength and Confideration) whereby it was agreed to be Surrender'd. The firft of *March Fairfax* Quarter'd his Army all Night in the Field about a Village call'd St. *Bliflan'd*, and the fame Night the Lord *Hopton* quitted *Bodmin*, Retreating further Weft; towards which *Fairfax* advanced the next Morning, and fent out a Party of Horfe and Foot to fecure *Warebridge*, to hinder the Lord *Hopton*'s Forces of that Paffage in cafe they intended to break through Eaftward; as likewife other Guards were Commanded to *Padftow*, left they fhould there get over the River, and to encourage the Townfmen, who feeing now the Parliamentarians Mafters of the Field, began to ftand upon their Guard, and refufe the Royalifts Entrance into their Town.

Prince *Charles* goes to *Scilly*.

About this time his Highnefs the Prince of *Wales*, feeing it impoffible at that Juncture to make Head with any fuccefs againft *Fairfax*'s numerous Forces, that his Perfon might not fall into their hands, expofed himfelf rather to the mercy of the Sea, Embarking with feveral Lords and Gentlemen his Attendants, and fafely arrived in *Scilly*. In the mean time the Lord *Hopton* kept his Head-Quarters at *Truro*, but his main Guard of Horfe at Caftle *O Deniffe*, and the reft of his Troops Quarter'd about St. *Columb*, *Grampound*, and *Tregni*, they wanted not thoughts nor courage to force their paffage with their Swords in their hands through the Enemy; but the fame to their calmer Judgments appeared impracticable without expofing themfelves to certain deftruftion, wherein 'tis like they confidered the lofs that would accrue to his Majefty more than their own Lives; for *Fairfax* had difpofed of Guards of Horfe and Foot into all the Paffes from the North to the South-Sea, and the Country were enjoined to Barracade up the Lanes, and keep Men upon the Fords.

A Ship taken coming from *Waterford* in *Ireland*, where feveral Letters were found.

Befides, at this time an Accident happen'd of ill confequence to the King's Party; a Ship came into *Padftow* from *Ireland*, not doubting but to have been welcomely receiv'd; whereas on the contrary the Towns People endeavour'd to feize her, and with the help of fome Parliament Dragoons Boarded her, and put moft of the Men to the Sword. But the Captain, one *Allen* of *Waterford* had his Life fpared to the intent to make ufe of his Confeffion. The Pacquet Letters they brought were thrown over board, but found floating on the Water, and were carried to *Fairfax*, amongft which were Letters from the Earl of *Glamorgan*, mentioning that fome Thoufands of Men were ready to be Tranfported from *Ireland*, and 4000 more fhould be ready by the firft of *May*. Alfo Letters from the Lord *Digby*, giving a Narrative of his Proceedings againft the Earl of *Glamorgan*, &c. (Which Lettets fee at large herein afterwards, in the Chapter of Affairs in *Ireland* during this year 1645, whereunto they properly belong.) Now thefe Letters being fhew'd and read unto the People of the Country who were Summon'd in to appear on the Downs by *Bodmin*, the fame made great Impreffions on them, fo that above a Thoufand of them exprefs'd much willingnefs to affift in the Blocking up of all Paffages, and ways to prevent the Royal Cavalry from breaking through. To whom *Fairfax* fent this following Summons directed to the Lord *Hopton*, their Commander in chief.

SIR,

21 *Caroli.*

Fairfax's Summons to the Lord *Hopton.*

SIR,

THrough the Goodness of God to his People, and his just hand against their Enemies, your Forces being reduced to such Condition, as (to my sense) the good hand of God continuing with us, wherein alone we trust, they are not like either to have subsistence or shelter long where they are, or to escape thence, nor if they could, have they whither to go to have better. I have thought good, for prevention of more Bloodshed, or of further hardship or extremity to any, but such whose hearts God shall harden to their own Destruction, to send you this Summons, for yourself and them to lay down Arms, and withal a tender of such Conditions (upon a present Surrender and Engagement, never to bear Arms against the Parliament) as may be better than any thing they can rationally expect by further standing out.

Propositions sent to Lord *Hopton.*

First therefore to the Soldiery in General, *English* and Foreigners, I shall grant Liberty either to go beyond Sea, or to their Homes in *England*, as they please; and to such *English* as shall chuse to live at Home, my Protection for the Liberty of their Persons, and for the Immunity of their Estates from all Plunder or violence of Soldiers, and all to go their ways with what they have, saving Horses and Arms. But for Officers in Commission and Gentlemen of Quality, I shall allow them to go with Horses for themselves, and one Servant or more, suitable to their Quality; and with Arms befitting Gentlemen in a condition of Peace; and such Officers as would go beyond Sea for other Service, to take with them their Arms, and full number of Horses answerable to their Offices.

To all Troopers and inferior sort of Horse-Officers bringing in and delivering up of their Horses and Arms, Twenty Shillings a Man in lieu of their Horses to carry them home: To *English* Gentlemen of considerable Estates, my Pass, and Recommendation to the Parliament for their moderate Composition.

Lastly, For yourself (besides what is before implied to you in common with others, you may be assured of such Mediation to the Parliament on your behalf,) both from myself and others, as for one whom (for Personal worth, and many Vertues, but especially for your care of, and moderation towards the Country) we honour and esteem above any other of your Party, whose Error (supposing you more swayed with Principles of Honour and Conscience than others) we most pity, and whose happiness (so far as consistent with the publick welfare) we should delight in more than in your least suffering.

These things (not from any need or other ends than Humane and Christian) having offered, I leave to your Consideration and theirs whom they concern; desiring your and their speedy Resolution, which I wish may be such as shall be most for the Honour of God, the Peace and Welfare of this poor Kingdom, and for your and their good, so far as may stand therewith.

And having herein discharged, (as I conceive) the duty of an honest Man, a Soldier and a Christian; If God shall see it good to let your Hearts be harden'd against your own Peace, I shall, (though with some regret for that Ill that shall ensue to any, yet with cheerfulness and rejoycing at the righteous judgment of God) pursue my Charge and Trust for the Publick in another way, not doubting of the same Presence and Blessing which God hath hitherto vouchsafed in the same Cause to the weak Endeavours of

March 5. 1645. *Your Humble Servant,*

THO. FAIRFAX.

Ann. 1645.

This Letter was ſent on the *6th* of *March*, and on the *7th Fairfax* advanced four miles from *Bodmin* towards St. *Collombe*, and that Night ſent out Col. *Rich* with a Thouſand Horſe and Dragoons to beat up their Quarters, which he did near St. *Collombe*, forcing the Out-Guards up to the Main-Guard, which conſiſting of about 600, moſt of them his Highneſs's the Prince of *Wales*'s Life Guard, and brave Gentlemen, then Commanded by Major *Pert*, a proper ſtout Gallant Man, who drew out to meet them, and gave a moſt brisk home-Charge, the Major himſelf Charging quite through the firſt Diviſion, but being ſhot was taken Priſoner, (and afterwards died of his Wounds) upon which his Troops retired in diſorder, and were purſued two or three miles by Quarter-Maſter General *Fincher*, who led the Van, wherein many were Slain and Wounded, near an hundred taken Priſoners, and about 300 Horſes taken, their Riders deſerting them to facilitate their Eſcape. And the next Day *Fairfax* marched further to other Quarters at St. *Stephen*'s, St. *Blaſe*, *&c.* within ſix or ſeven miles of *Truro*. And that Day my Lord *Hopton* return'd the following Anſwer to the Letter before recited.

SIR,

The Lord *Hopton*'s Anſwer.

I Received yours bearing Date the Fifth of this Month, wherein I muſt acknowledge much kindneſs from you, and a very Chriſtian Conſideration of ſparing Blood. But one thing there is, I am confident you have too much Honour to expect from me, which is, that to avoid any danger, or to enjoy any worldly advantage, I will renounce my Maſter's Houſe, to whom I am both a ſworn Subject, and a ſworn Servant; that I muſt profeſs I am reſolved to undergo all Fortunes with him, and if there ſhall be cauſe, to ſuffer any thing, rather than in the leaſt point to taint my Honour in that particular; and I hope there is not a Man of any Conſideration in this Army under my Command, that is not ſo reſolved; yet in all honeſt and honourable ways, to procure the Peace of this Kingdom, and the ſparing of Chriſtian Blood, I take God to witneſs I am and ſtill have been moſt deſirous. And I hear from good hands, that our Gracious Sovereign is at preſent ſo far advanced in a Treaty with the Parliament, as that he hath promiſed to paſs four of their Bills propoſed, whereof the intruſting of the Militia for Seven years, in hands agreed between them, is one. I deſire you to deal freely with me in that particular, for if that be ſo, it will ſpare the labour of further Treaty, being for my part ready to obey whatſoever his Majeſty ſhall agree to. God hath indeed of late humbled us with many ill Succeſſes, which I acknowledge as a very certain evidence of his juſt Judgment againſt us for our Perſonal crimes; yet give me leave to ſay, your preſent Proſperity cannot be ſo certain an Evidence of his being altogether pleaſed with you. It is true, we are reduced to a lower condition than we have been in, yet have we a Gallant Body of Horſe, that being preſerved to a general accord, may be for good uſe againſt our Common Enemies; and being otherwiſe preſt, I may ſay it without vanity, want not a Reſolution, at leaſt, to ſell ourſelves at a dear rate againſt any odds. Your Propoſitions, though they be not wholly conſented to, yet if a general accord, much more deſirable, be not in a likely forwardneſs to prevent them, I ſhall be willing that Eight Commanders of ours, with Three Country Gentlemen, give a meeting as ſoon as you pleaſe, to any equal number of yours, at any indifferent place to conſult of this great Buſineſs, and to conclude of ſome Propoſitions that may be Reaſonable and Honourable for both parts; wherein I hope God will ſo bleſs our clear Intentions, as may produce a probable inducement to a General Peace, according to the unfeigned deſire of your Servant,

March 8. 1645. *Ralph Hopton.*

The

The next Day *Fairfax* sent this Reply:

Fairfax's Reply, *March the 9th.*

My Lord,

I Should most truly and freely inform your Lordship the best I could, in any thing that might lead you to a right understanding of things, in order to the Peace of the Kingdom; or the real good of yourself, and those with you, so far as may stand with my Trust and Duty to the Publick, to what I conceive your more certain knowledge of that your desire to be informed in concerning the King's Offers to the Parliament; and amongst them one concerning the Militia. Something to the Purpose, as you say you have heard; but the just certainty what his last Overtures are, or how far they are advanced to a general Accord, I cannot at present certify. I do not hear they have proceeded so far as to a Treaty; and I believe that as the Parliament may be discouraged from the way of Treaty by former Experiences of the fruitlesness thereof, and the ill Use the same hath been designed or driven unto, *viz.* only to gain Advantages for War, without real Intentions for Peace; so the late Overtures that way are the less like to be successful, by reason of the clear and certain Discoveries the Parliament have had, That his Majesty at the same time was and is labouring by Agents in all Parts to draw in Foreign Forces, and especially that the Earl of *Glamorgan* by Commission from his Majesty, had concluded a Peace with the *Irish* Rebels, on Terms extreamly dishonourable and prejudicial, upon the only Condition of sending over Force under the Command of that Lord, to invade *England*; whereof I presume you cannot but have heard. And though his Majesty did in a Letter to the Parliament, disavow any such Agreement, and pretended he had given Order to the Lord *Digby* for the Attainting and Impeaching the Earl of *Glamorgan* of High Treason for what he had done therein; yet by late Discoveries to the Parliament, and especially by Letters intercepted the other Day at *Padstow*, from the Lord *Digby*, the Earl of *Glamorgan*, and others, to Secretary *Nicholas*, yourself, Sir *Edward Hide*, the Lord *Culpeper*, and others, it is most clear and evident, that the Arresting of the Earl of *Glamorgan* was only for a present Colour to salve Reputation with the People, and continue their Delusion till Designs were ripe for Execution; for the same Peace is fully concluded with the Rebels, the King to have the Aid conditioned upon the same Agreement, and the Earl of *Glamorgan* at Liberty again, and to Command that Force in Chief.

Now for the Overture of a Meeting to Treat further about the Propositions I sent, though I know nothing material that I can add or alter, except in Circumstances, yet I shall not refuse or decline such a Meeting, or ought else that probably tends to the saving of Blood, or further Misery to any; Provided the Meeting be speedily, and number of Persons not to exceed Four or Five. But, my Lord, when you consider what I have before related concerning Foreign Supplies, which I have Reason to think you know and believe; you see what Cause I have to be jealous of Advantages sought by Delays, and not to intermit any time, or omit any Opportunity to prosecute the Service I have in hand. And that there may be no colour of your expecting that Forbearance on my part, which you offer on yours, I do the more hasten back my Resolution to you. In pursuance whereof, I do not despise, nor shall I insult upon your present Condition. I question not, nor yet shall I hope, be much moved with the Resolution of your Men. I presume not on former Successes, nor present Advantage in fleshly Power, but desire to trust in God alone, whose favour and blessing to this Army above others, I do not account in what is past, or expect in future, to be for any precedence in merit or goodness of ours, whereby we should be more pleasing to him than others, but from his own free Grace and Goodness towards his People, whose Welfare with the common good of the Kingdom, we seek and desire with all faithfulness and integrity to pursue. And so committing the Issue of all to his good Pleasure, I remain your humble Servant,

March 9. 1645. *Tho. Fairfax.*

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Moreover, *Fairfax* commanded ſome of the Regiment to advance this day to *Tregny*, and the next day the Army advanced two ſeveral ways, part following to *Tregny* (the Head-Quarter that Night) another part of it to *Probus*, and thoſe Parts. Whereupon the Lord *Hopton* ſeeing his Men were ſo ſtartled at the advance of the Enemy, ſent that Night about Twelve of the Clock, for a Treaty, naming the Place, *Treſillian* Bridge. The Trumpet was return'd about Three in the Morning, that the General did hearken to a Treaty, and would appoint Commiſſioners to meet at the Place propoſed by the Lord *Hopton*. Hereupon Commiſſioners on both ſides were nominated to meet at Nine the next Day, (being *Tueſday* Morning *March* the 10th) but the General being unwilling to loſe time, gave Orders for a March; accordingly the Army that *Tueſday* advanced by break of Day, and marched to a Rendezvous within two miles of *Truro*, by Ten of the Clock, where the Lord *Hopton*'s Trumpeter brought a ſafe Conduct for the Commiſſioners, and they having received the like, a Ceſſation was agreed to, but withal a Meſſage was ſent to the Lord *Hopton* from the General, that he intended to quarter his Army at *Truro* and St. *Allen* that Night, which he thought fit to give him Notice of, that none of his Forces might be left in the Town. This much diſreliſhed the Lord *Hopton*, and his Commiſſioners that he ſent, had much Reluctancy againſt it. And ſo at laſt *Fairfax* upon Conference, was content to let them have St. *Ellen* for their Quarter, reſerving ſtill *Truro* (the Prime Quarter) to himſelf.

A Treaty began, *March* 10.

Wedneſday the 11*th*, the Commiſſioners on both ſides met again, but could not make any great Progreſs into the Treaty; the Ceſſation was continued for a Day longer; about one hundred and twenty Muſquetiers came in this Day with their Arms and Colours flying, being of Colonel *Trevanian*'s Regiment; alſo divers Colonels, Knights and Gentlemen of Quality ſent to *Fairfax*, making known their Deſires, to be received into the Protection of the Parliament; which ſo diſheartned Col. *Trevanian* then with his Regiment at *Perin*, that late that Evening he alſo ſent, deſiring he might be included in the Treaty with the Lord *Hopton*, and have the ſame Conditions that other Officers were to have. Theſe things operated with the Government of St. *Mawes* Caſtle, a principal Fort that had a great command of the Haven at *Falmouth*, that he likewiſe ſent to be received into the like Terms. And although the Governour of *Pendennis* ſent to command him to come into the Caſtle of *Pendennis*, he refuſed and perſiſted in his former Deſire; whereupon the General ſent him Conditions, with a Summons; which were accepted, and he ageeed to Surrender.

Treaty Concluded.

By Twelve of the Clock this Night, all the material Points of the Treaty were concluded, matters of Circumſtances only remained, which yet were ſo neceſſary to be concluded, in order to the perfecting of the Treaty, that the next Day was allowed (and the Ceſſation continued) for the finiſhing therein. When the Treaty was fully ended, and Hoſtages appointed, the ſame Day St. *Mawes* Caſtle was ſurrendred, and Thirteen pieces of Ordnance in it, (whereof Two Great Braſs-pieces of about Four thouſand Weight a piece) and Foot were ſent to poſſeſs it.

The Treaty being thus ended, thoſe that ſeemed moſt diſcontented were the Common Troopers that were to be Diſmounted, who therefore to mend their Conditions, had changed away their beſt Horſes, for advantage before the Disbanding. *Satur-*

Saturday was appointed to be the Day of Disbanding, which yet of very necessity was put off till the next Day; and now all things being agreed, the Commissioners of both sides supt this Night with the General.

The next Day the *French* Regiment under the Command of *Monsieur Lapland*, which was to be the first Disbanded, was brought to the Place appointed. Their Horses were very poor, they having before by private Contracts, put off the best of them. These were about Three hundred, Dismounted, but they having made their Markets before, most of their Horses were turned back upon their Hands, as not worth the Twenty Shillings an Horse, which they were to receive according to the Agreement. In the space of five Days more the Work was finished, *viz.* on *Monday* Two Brigades of Horse. On *Tuesday* the 17*th*, the Two Brigades of the Lord *Cleveland*'s and Major General *Webb*'s. *Wednesday* ths 18*th*, part of the Lord *Wentworth*'s, Col. *Bovile*'s Brigade, Lord *Hopton*'s Life-Guard, and Sir *Richard Greenvile*'s Life-Guard. *Thursday* Two Brigades more, of which the Lord *Goring*'s was one, and the Prince's Life-Guard. *Friday* the 20*th*, the Two last Troops of all the *Cornish* Horse were Disbanded. The number of Brigades in all that were Disbanded, were Nine, *viz.* the *French* Brigade, consisting of Three Regiments. The Lord *Wentworth*'s Brigade, consisting of Four Regiments. Sir *James Smith*'s Brigade, consisting of Three Regiments. The Lord *Cleveland*'s Brigade, consisting of Four Regiments. Major General *Webb*'s of Three Regiments. The Lord *Hopton*'s Brigade, Commanded by Col. *Bovile.* The Lord *Goring*'s Brigade, of Five Regiments. The Prince's Life-Guard, consisting of Nine Troops, being Seven hundred Men, well Armed. And Sir *Richard Greenvile*'s Reformadoes.

But of this whole Action, see the Account given by *Fairfax* himself.

To the Honourable William Lenthall *Esq; Speaker of the Honourable House of Commons.*

SIR,

Fairfax's Letter to the Speaker.

WHILST I lay at *Bodmin*, for the necessary Refreshment of the Army, and to block up the Passages from *Bodmin* to the North and South Sea; I sent a Summons with Propositions to Sr. *Ralph Hopton*, and the Army under his Command, (a true Copy whereof I have here inclosed) being encouraged thereunto by some of the Enemies Officers and Soldiers, who came in to me, and informed me of their Inclinableness to Conditions, hoping thereby either to bring them to such Terms as should be to your Advantage, or would distract and weaken them; and withal understanding by the intercepted Letters I sent you, that an *Irish* Infantry was ready to be shipt for *England*; I thought fit to try all means which in Probability might break their Body of Cavalry upon the Place. When I had dispatched these Propositions to the Enemy, I advanced upon *Monday* with all the Army from *Bodmin* towards *Truro*, being then the Enemy's Head-Quarters; and to *Tregny*, where I quartered that Night. Sr. *Ralph Hopton* sent a Trumpeter to me with a Letter, desiring to have Commissioners appointed on both sides to meet at *Tresillian* Bridge the next Day, with Power to treat and conclude; which I assented to: The Treaty accordingly began, the Commissioners meeting about four a Clock in the Afternoon; and I, in the mean time, advancing the Quarters of the Army to *Truro* and *Saint Allen.* After some time spent between the Commissioners,

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missioners, this Agreement was made, a Copy whereof I have here also inclosed; and in Execution thereof, this Day we began to disband the *French* Brigade under Colonel *Lapland*; to morrow we proceed with Three other Brigades, they having Nine in all; and shall endeavour to shorten this Work as much as may be. Truly, *SIR*, this must needs be acknowledged for an Admirable Mercy from the same gracious hand of Providence that has hitherto gone along with you, that so considerable a Force as this should be so baffled; first, at *Torrington*, and afterwards should put themselves as it were into a Net, whereby they were necessitated to take Terms to the utter ruine of so great a Body of Cavalry; which according to all our Information, and the Confession of our Enemies, was not less at the time of the Treaty than Four or Five thousand Horse. The Articles of Agreement will speak the Mercy, and needs no Comment; yet, I hope, I may make this Observation upon them: That thereby not only so great a Body of Cavalry is broken, but so many, both Officers and Soldiers, disobliged from taking Arms against you, and this at such a Season when a Foreign Aid so ready as the Earl of *Glamorgan*'s Letters sent up formerly (and now sent you) speak at large; the timely freeing of us from other Services that remain, with Discouragement put upon the Enemies Garrisons in these Parts, which we hope will cause them the more speedily to come in, we trust will be good Consequences of this Work: Its the Desire of us all, the Praise of all may be returned to God to whom it is only due. The Reputation of this hath already produced a Surrender of St. *Mawes* Castle, wherein we found about Thirteen Guns, and good Proportion of Ammunition; which Place gives you a better Interest in *Falmouth* Harbour than the Enemy hath: for by the Advantage hereof you may bring in Shipping without Hazard, which they cannot. It hath also occasioned the coming in of between Three hundred and Four hundred Foot of the Enemies with their Arms to me; and given the Countries such heart against them, that in *Peryn* (a Town formerly not very well affected) and in St. *Ive* they stand upon their Guards against the Enemy: For further Particulars concerning this Business, I refer you to Master *Peters*, who (since he came into this County where he was Born) hath very much furthered the Service in the bringing of the Country in so freely to the Protection of the Parliament. I remain

Truro. *Your Most Humble Servant,*

THO. FAIRFAX.

Truro, *March* 14. 1645.

The Articles on which the Lord *Hopton*'s Forces were disbanded, *March* 14*th*.

Articles of Agreement concluded betwixt Commissary General *Ireton*, Colonel *John Lambert*, Colonel *John St. Aubin*, Commissary General *Stane*, Captain *Edward Herle*, and *Richard Deane* Comptroller of the Ordnance; Commissioners appointed on the Behalf of his Excellency Sr. *Thomas Fairfax* Knight, General of the Parliaments Army, on the one Part; and Colonel *Charles Goring*, Colonel *Marcus Trevor*, Colonel *Thomas Panton*, Colonel *Jordan Bovill*, Sr. Richard *Prideaux* Knight, and Major *Goteer*; Commissioners appointed on the Behalf of the Right Honourable the Lord *Hopton*, General of his Majesty's Army, on the other Part; as followeth:

I. It is concluded and agreed, that no Person in the Lord *Hopton*'s Army, not formerly by Name Excepted by the Parliament from Pardon, shall be excluded from the Privilege of this Treaty; either as being a Foreigner, or for having formerly served the Parliament; but shall equally have the Benefit of what shall, upon this Treaty, be granted

to

to other Persons of that Quality that they are of in the Army: And for any Persons by Name Excepted by the Parliament, they shall have present Liberty (if they desire it) to go beyond Seas, with like Recommendation and Equipage as other of like Quality: Or if they desire to live at home in *England*, to make their Addresses to the Parliament, for that, or other purpose, they shall have leave and reasonable Time so to do, and the General's Protection to live quietly and at Liberty, in any Place they shall nominate and chuse within the Parliament's Quarters, until they have received the Parliament's Resolution; and if the Parliament shall not think fit to grant such their Desires, they shall then have Leave and Passes to go beyond Sea, as before; or to any of the King's Armies or Garrisons, as they shall think fit. 21 *Caroli.*

II. That the Army and Forces under the Command of the Lord *Hopton* shall, within Six days after the date hereof, be wholly disbanded and discharged, by the Lord *Hopton*, and the General Officers, Colonels and other Officers under his Command; according to the several charges in manner hereafter expressed.

III. That all Common Troopers, Corporals of Horse, Farriers and Sadlers, that are mounted, being of, or belonging to the Forces under the Command of the Right Honourable the Lord *Hopton*, shall bring in and deliver up their Horses with their Bridles and Saddles, and all their Arms unto his Excellency Sr. *Thomas Fairfax*, or unto whom he shall appoint to receive them in Manner, Time, and Place, as is hereafter expressed: Provided that all Corporals, and such Common Troopers as shall appear Gentlemen of worth, and such other Troopers as shall go beyond Sea, shall be allowed to keep and carry away with them their Swords.

IV. That upon Performance hereof they shall receive Twenty Shillings a Man or keep their Horses; and shall have their Passes to go to their homes in *England*, or beyond Sea, with their Bag and Baggage, which they shall have leave to carry with them or dispose of them as they please: and those to whom Swords are allowed, as before, to pass with their Swords.

V. That the Commission Officers of Horse under the Lord *Hopton*, for their several Troops respectively, shall cause the said Horses and Arms to be duly delivered in without Changes, Spoiling, or Embezilement among themselves, according to the effect of the First Article before going.

VI. That this being performed, all the said Commission Officers of Horse in present command, and all Trumpeters belonging to them, shall have liberty to go away, either to their own Homes in *England*, or beyond the Seas, with their Bag and Baggage. And also they shall have such number of Horses and Equipage, as is hereafter allowed, according to their several qualities: That is to say,

First, For those that shall chuse to go beyond the Seas, the full number of Horses and Fire-Arms, if they have so many of their own.

To Trumpeters one Horse apiece, and their Trumpets.
The Quarter-Masters two Horses, and one Case of Pistols.
To Cornets three Horses, and two Case of Pistols.
To Lieutenants Four Horses, and three Case of Pistols.
To Captains, Majors and Lieutenant Colonels six Horses, and four Case of Pistols.
To Colonels Eight Horses, and six Case of Pistols.
To the Adjutant General six Horses and four Case of Pistols.
To the other Adjutants of Brigades, three Horses apiece, and one Case of Pistols.

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To the Scout-Master General six Horses, and two Case of Pistols.
To the Quarter-Master General six Horses, and two Case of Pistols.
To the Marshal-General four Horses, and one Case of Pistols.
To the Deputy Quarter-Master General two Horses.
To the Deputy Scout-Master one Horse.
To the Major-General twelve Horses, and six Case of Pistols.
To the Commissary-General of Horse-Provisions, three Horses and a Case of Pistols.
To the Commissary-General of Victuals, three Horses, and one Case of Pistols.
To the Chirurgeon-General three Horses.
To Quarter-Masters of Brigades three Horses, and one Case of Pistols.
To Chirurgeons of Regiments, two Horses.
To all these, except Chirurgeons, their defensive Arms, and Swords for themselves and their Servants, and to every Field-Officer one Carabine, and Chirurgeons their Swords.

Secondly, Those that shall chuse to abide in *England* with the General Sir *Thomas Fairfax* his Protection, and to live at home, shall have their Proportions as followeth.

To Trumpeters one Horse a piece, and their Trumpets.
To Quarter-Masters one Horse apiece.
To Cornet's and Lieutenants two Horses apiece, and one Case of Pistols.
To Majors four Horses apiece, and one Case of Pistols.
To Lieutenant Colonels five Horses apiece, and one Case of Pistols.
To Colonels six Horses apiece, and two Cases of Pistols.
To the Major-General ten Horses, and three Case of Pistols.
To the Adjutant-General six Horses, one Case of Pistols.
To the Adjutant of Brigades one Horse apiece, and one Case of Pistols.
To the Quarter-Master General six Horses, one Case of Pistols.
To the Marshal-General three Horses, one Case of Pistols.
To the Deputy Quarter-Master General, two Horses.
To the Scout-Master General four Horses, one Case of Pistols.

All these to have Swords for themselves and their Servants.

To the Commissary of Horse-Provision, two Horses, and a Case of Pistols.
To the Commissary of Victuals, two Horses, a Case of Pistols.
To the Deputy Scout-Master, one Horse.
To the Quarter-Master of Brigades, two Horses.
To the Chirurgeon-General, two Horses.
To Chirurgeons of Regiments, one Horse.
To Chaplains two Horses.

All these, except Chaplains, to have Swords for themselves and their Servants.

VII. That the precedent Articles concerning the Surrender of Troopers Horses, and being performed, if any Officer in command that chuseth to live at home, shall appear to have more Horses of his own than what he is before allowed by the last precedent Article, the Commissioners of Sir *Thomas Fairfax* his part, will recommend it to his Excellency's favour, that they may enjoy the benefit of such Horses of their own, to the same number as Officers of like quality that are to go beyond the Seas.

VIII. That of the Reformado Officers that chuse to live at home in *England*, Reformado Quarter-Masters shall have the same Conditions as Corporals in Command; Cornets and Lieutenants shall go away with one

one Horse apiece. Captains, Majors and Lieutenant Colonels with two Horses apiece, and Colonels with three Horses apiece, if they have so many of their own, and one Case of Pistols. Those Reformadoes that desire to go beyond Seas, to have half the proportion of Horses and Arms allowed in that Case to Officers of like quality in present Command, if they have them of their own, all of them to go with Swords, Bag and Baggage, or dispose thereof at pleasure.

IX. That all Gentlemen of Quality in Arms, or not in Arms, but living under the Protection of the said Army, shall have Liberty either to go to their own Houses, or beyond the Seas, with Bag and Baggage, and Equipage, according to their several Qualities, as followeth.

That is to say, a Knight with four Horses, three Servants, one Case of Pistols, and their Swords.

An Esquire with three Horses, two Servants, one Case of Pistols, and their Swords.

A Gentleman with two Horses, one Servant, one Case of Pistols, and their Swords.

A Gentleman of lowest Rank, with one Horse for himself, and a Sword.

Scholars and Clergy-men to have one Horse at the least, or more, according to their different degrees, at the General's discretion.

X. That to all those who according to the Effect of the Articles shall chuse to go beyond the Seas, Passes shall be granted from the General Sir *Thomas Fairfax* accordingly; and to those who being *English* shall chuse to live at Home, Passes for that purpose, and Protections for the Liberty of their Persons, and also for the Freedom of their Estates from all Plunder and violence of Soldiers; and that such Gentlemen, or others that have considerable Estates, may have the General's Letter of Recommendation to the Parliament (if desired) for their moderate Composition.

XI. That after the Performance of these Articles so far as to Disbanding and delivering up of what is to be delivered, all Officers and Soldiers that shall according to these Articles, chuse to go beyond the Seas, shall have sufficient Quarters assigned them by Sir *Tho. Fairfax* near convenient Ports for their Transportation: And that they shall have Twenty Eight Days allowed to stay in *England*, from the Day of their several Disbanding, and that the charge of Quartering their Horses be discharged by themselves after the first fourteen Days for the time of their further stay. That the General will appoint Men to take care that Shipping shall be provided for Transporting their Persons, Arms, Bag and Baggage, they paying the accustomed Rates.

XII. That a certain number of Officers of the Lord *Hopton*'s Army, not exceeding forty, upon the Lord *Hopton*'s Commissioners request, shall be permitted to have Passes for themselves, and their Servants, Horses and Necessaries to go to *Oxford*: Provided, that their Servants exceed not the number of two, their Horses three, to every one respectively.

XIII. That the Lord *Hopton* shall be allowed for his own Use, all his Horses: Provided they exceed not the Number of forty; and Arms for himself and twelve Men. And that the Lord *Wentworth* shall have all his Horses: Provided they exceed not five and twenty, and Arms for himself and eight Men, and Places assigned them for conveniency of Quarters.

XIV. That such *English* Men as shall chuse to abide in *England* at their Homes, and all Foreigners of the said Army shall engage themselves by Promise, in such Form as is herewith agreed on; not to bear Arms any more against the Parliament of *England*; nor to Act any thing wilfully prejudicial to the Parliament's Affairs, without first rendring themselves

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XV. That all Horſes, Arms and Furniture of War, belonging to, or in the hands of any Perſon in the ſaid Army, not allowed in the precedent or ſubſequent Articles to be carried away, ſhall be delivered up to ſuch Perſons and ſuch Places near *Truro*, or Sr. *Thomas Fairfax* his Head Quarters, as his Excellency ſhall appoint, within Six Days after the Date hereof without Spoil or Embezilement, at the Care as well of the General Officers of the ſaid Army, and all Commanders in their ſeveral Charges, as by the Perſons themſelves to whom ſuch Arms or Furniture of War do belong, or in whoſe Cuſtody they were.

XVI. That whoſoever ſhall after the Concluſion of this Treaty, purpoſely break, ſpoil, or embezzle any of the Arms, Horſes, or Furniture agreed and concluded to be delivered up in this Treaty, ſhall forfeit the Benefit due to him by any Article in the Treaty. And if any of the ſaid Army, after the Concluſion of this Treaty, ſhall Plunder or wilfully do any Violence unto any Inhabitants of the Country, he ſhall give Satisfaction unto the Perſons ſo wronged, or loſe the Benefit of the Treaty; and that the Commiſſioners of both Parties, or any Three of them, whereof one or more to be of Sr. *Thomas Fairfax* his Party, and one or more to be of the Lord *Hopton*'s, ſhall have Power to hear and determine all ſuch Caſes accordingly.

XVII. That the ſaid Army and Horſes, under the Command of the Lord *Hopton*, from the time of the Concluſion of this Treaty, until the time of their drawing out to be disbanded, as in the enſuing Articles, ſhall be Quartered in ſuch Places Weſtward from *Truro* as Sr. *Thomas Fairfax* ſhall appoint, which ſhall be large enough for their Accommodation; and that the Ceſſation of Arms, and of all Acts of Hoſtility betwixt the two Armies, ſhall continue unto the Time of the compleat disbanding of the Lord *Hopton*'s Army.

XVIII. That for the Disbanding of the ſaid Forces, and Delivering up of Horſes, Arms, *&c.* in Performance of the precedent Articles, every Brigade and Regiment under the Lord *Hopton*'s Command, ſhall by their Reſpective Commanders be drawn out into ſuch Places of Rendevouz, within two Miles of *Truro*, or Sr. *Thomas Fairfax* his Head Quarters, and upon ſuch Days as Sir *Thomas Fairfax* ſhall for them jointly or ſeverally appoint, Notice of the ſame being given to his Excellency in writing Sixteen Hours before-hand, under the Commiſſioners of the Lord *Hopton*'s Part, or any of them; two or more of whom ſhall for that End and other Purpoſes, continue at Sr. *Thomas Fairfax* his Head Quarters, until the disbanding be finiſh'd: and that the Quarter-Maſter General, or Adjutant of the Lord *Hopton*'s, with one Horſeman from every Brigade, ſhall alſo be there with them, and that none of the ſaid Brigades or Regiment ſhall be drawn out of their Quarters (which ſhall be aſſigned to them as before) otherwiſe than upon, and according to, ſuch Notice from Sir *Thomas Fairfax* as before, except to and for their ordinary Guards.

XIX. That to, or before the drawing out of the ſeveral Brigades or Regiments to ſuch Rendevouz, as before, the Chief Commanders of them reſpectively ſhall deliver, unto whom Sir *Thomas Fairfax* ſhall appoint, a true and perfect Liſt of the Regiments and Troops in the ſeveral Brigades, and of all Officers and Soldiers in their ſeveral Troops, expreſ-

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ſing by Name which of them do chuſe to go beyond Sea, and which do go to live at home, as alſo who are Reformadoes, and in what degree of Command they have ſerved: and that, at the ſame Time and Places, the Horſes, Arms and Furniture, by virtue of the Precedent Articles, to be delivered up accordingly; and all the Officers and Soldiers disbanded, and diſcharged, and there ſhall receive their Paſſes, with Warrants for Quarters by the way for one Night in a place, and be conveyed towards their ſeveral Homes, as far as *Chard*, if they go ſo far, or unto Quarters aſſigned them for their Tranſportation, according to the precedent Articles. *21 Caroli.*

That for a further performance of theſe Articles, two Colonels of each Army ſhall be mutually delivered and kept as Hoſtages.

H. Ireton.	*Edward Herle.*	*Thomas Panton.*
Jo. Lambert.	*Richard Deane.*	*Jordan Bovill.*
Jo. St. Aubin.	*Charles Goring.*	*Richard Prideaux.*
William Stone.	*Marcus Trevor.*	*Jean Goteer.*

Ann. 1645.

CHAP. IV.

His Majesty's Marches after the Battel of Naseby, *the Proceedings of the* Scots *Army in* England, *and other Military Transactions to the end of the Year.* 1645.

The King's marchesfrom the Battel of *Naseby*, to the end of the Year 1645.

HIS Majesty after the fatal Battel at *Naseby*, *June* the 14*th*, Retreated towards *Hereford*, and so to *Ragland*, and other parts in *Wales* to Recruit his Army; from whence about the beginning of *August* he advanced with about 3000 Horse by the way of *Ludlow*, and so to *Litchfield*. *Aug.* the 8*th*, the *Scots* (who by this time were set down before *Hereford*, as shall be related in convenient place) sending out a strong Party of Horse under Lieutenant General *David Lesley*, to attend his Motions. On *Wednesday*, *Aug.* 13*th*, his Majesty Quartered about *Titbury* and *Ashburn*, where Sir *John Gell* Skirmisht with his Rear, but was beat of, and some of his Men taken Prisoners. On the 15*th* the King came to *Welbeck*-House, and there was Reinforced with Horse and Dragoons from *Newark*. It was believed that his Majesty then designed for the *North*, to Joyn with *Montross*, who about that time was Master of the Field in *Scotland*. To prevent which Major General *Poyntz* was Posted with above 2000 Horse about *Doncaster* and *Rotheram*, with whom Col. *Rossiter*, and the *Staffordshire* and *Derbyshire* Horse were hastening to joyn; so that his Majesty finding his Passage that way Intercepted (the Pass at *Ferrybriggs* being secured, and *Lesley* ready to joyn with the Enemy) turn'd back Southwards, and from *Newark* fell into the Associated Counties, and having lain one Night at *Belvoir*-Castle, made his next Head-Quarters at *Stamford* in *Lincolnshire*, and march'd with such speed that on *Sunday* the Van of his Army (which consisted only of Horse and Dragoons) came to *Huntington*, where at the Bridge Capt. *Bennet* with his Foot-Company opposed them, until he himself, his Lieutenant, and many of his Men being slain, they forc'd their Entrance, and became Masters of that Town, where the King Quartered on *Monday* the 25*th* of *August*, and gave *Cambridge* several Alarms, and faced it with a Party of Horse, but then drew off, and on *Tuesday* lay at *Wooburn*, but his Troops spread themselves in several Parties through *Bedfordshire*, and part of *Hartfordshire*, some of them coming as far as *Margret*-Street, not above five miles beyond *St. Albans*, and on *Wednesday* his Majesty was in Person at *Dunstable*, but most of his Forces Quarter'd about *Bissiter*, and on the 28*th* of *August* repaired to *Oxford*, where the Day before the Lord Keeper *Littleton* departed this Life. In this sudden and unexpected March, his Majesty's Horse got great Booty out of those Countries adhering to the Parliament through which they pass'd, especially at *Huntington*.

The King falls into the Eastern Association.

His Majesty takes *Huntington*, Aug. 24.

Lord Keeper *Littleton* died, *Aug.* 27.

His Majesty taking with him what Forces might be spared, on the 31*st* of *August* march'd from *Oxford* to *Cambden*, and the Two Houses fearing that his Design was either to raise the Siege of *Hereford* or *Bristol* (whereof the former was at that time Invested by General *Leven* and the *Scots*, the latter by *Fairfax*) gave immediate Orders that Major General *Poynts* and Col. *Rossiter* should draw what Forces they could together, and attend the King's Motions, hold-

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ing Correspondence with *Leven* or *Fairfax*, according as they found either of them in danger of being Attacked. But the *Scots* upon the King's approach (and for the reasons herein after mentioned) raised their Siege before *Hereford* of their own accord, and began to march homewards; and soon after his Majesty recieved the unexpected News of the loss of *Bristol*, being Surrendred by Prince *Rupert* on the Eleventh of *September* to Sir *Thomas Fairfax*.

21 Caroli.

The King after the Retreat of the *Scots* visited *Hereford*, and continued there and at *Worcester* and *Ludlow*, till about the 20*th* of that Month, *Poyntz* with considerable Forces lying between him and *Oxford*. Sometime before this the Parliaments Forces Besieging *Beeston*-Castle, not far from *West-chester*, on a sudden Col. *Jones* who Commanded the Horse, with Adjutant General *Louthian*, who Commanded the Foot, drew off thence a Party of 1300 Horse and Foot about Eight a Clock in the Evening, and advancing all Night with a Still-march, came the next Morning about Four a Clock before *Chester* on the East Gate side, and divided their Forces into four Squadrons to Storm the Works in so many several places, and got upon the Works in some places before the Guards discovered them, and so with little loss made themselves Masters of the Forest-Street, with the Bar, St. *John*'s Church, *Barker*'s Lane, &c. with the Mayor's House, Sword and Mace, and thereby much affrightned and straitned the City, before which they continued, expecting daily Sir *William Brereton* with more Forces to joyn with them; wherefore to prevent if possible the loss of so important a place (and so convenient for the Landing of the Forces from *Ireland*, who every minute were expected) his Majesty with about 5000 Horse and Foot drain'd out of several Garrisons, advanced that way, and Major General *Poyntz* follows with all expedition after him; and on *Routon* Heath within some two miles of *Chester*, began to Engage with his Majesty's Forces, who Charged with such Resolution that they routed the Major, and were in pursuit of him, when at the same Instant Col. *Jones* and Adjutant *Louthian* having drawn out 500 Horse, and 300 Foot from their Leaguer before *Chester*, came up to his Assistance, Charging the King's Troops on the other side, which gave *Poyntz*'s Men an Opportunity to Rally, and then there began a most furious fresh Encounter, wherein at last the King's Forces having to deal with *Poyntz* in the Front, and *Jones* in the Rear, were discomfited, five or six hundred of them slain upon the place, among whom was the Lord *Berty Stuart* Earl of *Litchfield*; many Officers and Persons of Quality, and above 1000 Common Soldiers taken, his Majesty himself not without Difficulty retiring with the Remainder into *Wales*; where having staid some Days about *Denbighshire* to refresh and recruit his Forces, being attended with the Lord *Loughborough*, General *Garard*, Sir *Marmaduke Langdale*, and other Great Commanders, and an Army of about 3000 Fighting Men, came on the Second of *October* to *Litchfield*, the next day to *Melburn*, and on the 4*th* to *Newark*, where he continued till about the beginning of *November*; his Horse being Quarter'd at *Belvoir*, *Worton*, *Welbeck*, and *Sleford*. But *Poyntz* and great Numbers of the Parliaments Forces drawing round that way, and having on *Monday*, *Novemb.* 3. taken by Storm *Shelford* Manor (the Earl of *Chesterfield*'s House) where the Garrison consisting of about 200, were most of them put to the

The King worsted near *Chester*, *Sept.* the 24*th*.

Earl of *Litchfield* slain.

Sword,

Ann. 1645. Sword, and the Governour, Son to the Earl of *Chesterfield* dangerously Wounded. His Majesty apprehending to be Besieged in *Newark*, took the Opportunity whilst the Parliamentarians were Engaged before that House, to march away in the Night with a Party of Horse to *Daintry*, where the Earl of *Northampton* met him with a greater Body, and conducted him to *Banbury*, and so to *Oxford*, where he arrived *Novemb.* the *6th*, and continued there and thereabouts all the rest of this Year, sending divers Messages to the Two Houses about a Treaty for Peace: All which together with their Answers you will find in the subsequent Chapter of Civil Transactions.

The Proceedings of the *Scot's* Army in *England*, and some Transactions in the *North*, 1645.

After the Surrender of *Newcastle* to the *Scottish* Army in *Octob.* 1644 (whereof we have before given an Account) part of their Forces laid Siege to *Carlisle*, which was resolutely defended by the Governour Sir *Tho. Glemham*; but being reduced to the utmost Extremity, and without any prospect of Relief, he Surrendred it to them *June* the *28th* upon Honourable Conditions, *viz.* to march out with Horse and Arms, Colours Flying, Drums Beating, and a Convoy to *Skipton* or *Newark*; to which latter he march'd with about eighty Horse, and 500 Foot.

Carlisle Surrendred, *June* 28*th*.

Pontfract-Castle yielded, *July* 21.

Soon after, *viz. July* 21. *Pontfract*-Castle likewise Surrendred to the Parliaments Forces upon Articles much to the same Effect.

And four days after *Scarborough*-Castle (that held out a long Siege under Sir *Hugh Cholmley*, and before which Sir *John Meldrum* upon a Salley in *May* had been Wounded, whereof he afterwards died) did also Surrender to Sir *Mat. Bointon* upon Articles, which were much grumbled at by some of the Parliaments Party as too favourable, being as follows.

Articles agreed and concluded upon the Twenty second Day of July 1645, *betwixt the Honourable Sir* Matthew Boynton, *Knight and Baronet, one of the Military Committee for the Northern Association: Col.* Francis Lassels, *Col.* Simon Needham, *Commanders in chief of the Forces for the King and Parliament in* Scarborough: *And the Honourable Sir* Hugh Cholmley, *Knight and Baronet, Governour of the Castle there; concerning the Rendition thereof to the Persons before Named.*

I. THAT the Castle be Surrendred upon *Friday* next, beng the Twenty fifth Day of this Instant *July* 1645, by Twelve of the Clock at Noon: That all the Arms, Ordnance, Ammunition, Provision and Goods of what sort soever, now in, and about the Castle (except what is hereafter excepted) shall be delivered to the Commanders in Chief in *Scarborough*, or to whom they shall appoint, to the Use of the King and Parliament.

II. That all Prisoners now in the Castle be set at Liberty within six Hours after the Sealing of these Articles.

III. That the Governour Sir *Hugh Cholmley*, and those Officers, and Gentlemen Soldiers, if he desire it, shall have a safe Convoy from hence into *Holland*, or be safely conveyed to *Newark*, whether they shall chuse; and if any after their coming to *Newark* shall then resolve to go into *Holland*, giving notice thereof within six Days to the Committee for Military Affairs at *York*, they shall have Passes from thence, to take Shipping at *Hull*, *Scarborough*, and *Birdlington*-Key, and be there Accommodated, paying small Rates, so that they take the first Opportunity of Wind and Shipping

Shipping, And ſuch other who deſire them, ſhall have Paſſes from the ſaid Committee to go to the King's Army, or any of his Garriſons, as they pleaſe; they travelling not above Twenty in a Company, where the Governour or Colonel ſhall be in Perſon, otherwiſe not above Ten in a Company; the time to be permitted in their ſeveral Paſſes, as the diſtance of the Places they go to ſhall require; none of them paſſing through any Garriſon for the King and Parliament, if there be any other way. 21 Caroli

IV. That no Perſon whatſoever going from this Caſtle, be Plundered, Arreſted, or ſtaid upon any ground or pretence whatſoever, and in ſuch Caſe upon complaint made to the aforeſaid Committee at *York*, to be ſpeedily redreſſed.

V. That the Lady *Cholmley* ſhall have liberty to live at her own Houſe in *Whitby*, and enjoy ſuch Part of her Eſtate, as is allowed by Ordinance of Parliament: That ſhe may have two Men-ſervants, and two Horſes to carry herſelf, and ſuch neceſſary things as ſhall be granted her.

VI. That all inferior Officers, Common Soldiers, and others, who have deſire to live at Home, ſhall have Paſſes granted them for that End, and ſhall not be forced to take up Arms againſt their Minds: That the Sick and Wounded ſhall be provided for until their Recovery, and then have Paſſes to travel to what Place they pleaſe, having ſufficient time allowed for their Journey, and two Perſons permitted to take care of them.

VII. That the Governour march on his own Horſe, with Sword, Piſtols, and Defenſive Arms; and all Field-Officers upon their own Horſes with their Swords and Piſtols, all Captains whatſoever, Lieutenants, Cornets of Horſe in like manner, three Servants of the Governour, and one for every Field-Officer as aforeſaid, and all other Officers and Soldiers whatſoever on Foot, without any other Arms than their Swords, and not to be compelled to march above ten Miles a Day.

VIII. That all Officers and Soldiers may carry upon their Perſons what is really their own; that nothing be carried in Cloth-bags or Snapſacks, but their own wearing Apparel, Writings, Evidences and Bills.

IX. That every Officer, Gentleman and Clergy-man, may have liberty to buy, or lawfully procure a travelling Horſe for himſelf and his Servant, and that all Sick and Lame-men may enjoy the ſame Priviledge.

X. That all Gentlemen of Quality and Clergy-men have liberty to march, Gentlemen with their Swords; that none of them carry above the value of 5 *l.* in Money or Plate about their Perſons, and nothing in their Cloth-bags, but as is expreſſed in the Eighth Article.

XI. That there be no fraud or deceit whatſoever uſed, in ſpoiling or imbezilling any thing before mentioned, or comprized in theſe Articles; and if any of them ſhall be violated, the Party offending ſhall be delivered to the Commander in chief where the Fact ſhall be done, to give Satisfaction for his Offence, and his particular Act ſhall not be underſtood as a breach of theſe Articles, nor be prejudicial to any other.

There were taken in this Caſtle Thirty ſeven Ordnance, One thouſand Arms, great ſtore of Powder, Match, Bullet, and much Pillage.

Whilſt theſe things were Tranſacting, part of the *Scot*'s Forces were Ordered into *Lancaſhire*, to aſſiſt Sir *William Brereton*, but the Groſs of their Army hover'd to and fro, ſometimes advancing South-

Ann. 1645. Southward, and ſometimes Retreating, as being 'tis likely apprehenſive of the King's breaking Northwards to join with *Montroſs*, (who about this time was very victorious in *Scotland*) till ſome time after the Battle at *Naſeby*; and then towards the latter end of *June* they advanced to *Nottingham*, whence on the ſecond of *July* they came to *Melton Mowbray*, the next Day to *Tamworth*, and on the fifth to *Bromingham*, and ſo in Parties to ſeveral Places of *Worceſterſhire* and *Herefordſhire*, obſtructing the King from making New Levies in thoſe Parts; and the Houſe of Commons appointed Commiſſioners to Reſide in that Army for the better Satisfaction of their Proceedings.

The firſt Attempt of the *Scots* was upon *Canon-Froom*, a Garriſon of the King's about the Mid-way between *Worceſter* and *Hereford*, where Col. *Barnold* was Governour, to whom the Earl of *Calendar* ſent a Summons, and the Governour returned the following Anſwer.

For the Lord Calendar.

SIR,

YOU demand this Houſe for the King and Parliament, my Commiſſion is by the King alone, and if I may ſee a Command under his Majeſty's Hand, I ſhall with all willingneſs obey it, until then I cannot give that Account as is expected from me; nor will I reſign it upon any other Conditions, ſo long as I ſhall have Life, only reſt

Cannon-Froom, July 22. 1645.

Your Servant,

John Barnold.

Hereupon the *Scots* reſolv'd to Storm the Place, and met with a brave Defence; the Garriſon holding out till ſeventy of them were kill'd, the Governour mortally Wounded, and then the *Scots* became Maſters of it; taking two Captains, and not above thirty other Priſoners. And ſoon after Col. *Harlow* (Son to Sir *Robert Harlow*, a Member of the Houſe of Commons) was appointed to be Governour thereof, and to Garriſon it with the Foot he had raiſed in *Glouceſterſhire*.

At the ſame time one Sir *William Flemming* a *Scotiſh* Gentleman of the King's Party in *Hereford* made the following Addreſſes to the Earl of *Leven*, and the Earl of *Calendar*, who was his Uncle.

For his Excellency the Earl of Leven.

My Lord,

BEing very deſirous to ſpeak with my Uncle the Earl of *Calendar* about ſome private Buſineſs of my own; and conceiving alſo that I may be able to ſay ſomewhat to your Lordſhip worth your Conſideration, in relation to the Publick Good; I ſhall eſteem myſelf obliged, if your Lordſhip pleaſe to favour me with a ſafe Conduct to wait upon you, Reſting, my Lord,

Hereford, July 21.

Your Lordſhip's Humble Servant.

William Fleming.

For

21 *Caroli.*

For the Right Honourable the Earl of Calendar.

My Lord,

HAving the Honour of so near Relation to your Lordship, and being persuaded that over and above some private Business of my own, I can impart somewhat to your Lordship, which, if timously considered, might very much conduce jointly to the Good of my Country, the King's Service, and the Honour of our Nation, I have obtained permission to come over and speak to your Lordship, if you shall be pleased to procure me a safe Conduct, wherein you shall much oblige, my Lord,

Hereford, July 22. 1645.

Your Lordship's Humble Servant,

William Fleming.

The Answers returned were thus.

Leven's Answer.

S I R,

I Receiv'd your Letter, wherein you desire a safe Conduct to speak with the Earl of *Calendar* about some private Business of your own, and with myself about the Publick; whereto I return this Answer, That upon good Considerations I cannot yield to your desires; nor do I think it fitting that you or any of your Party should repair to this Army to speak with myself or any else here, about the Business of the Publick, wherein if you have any thing to say of worthy Consideration, you may follow the strait and publick way, applying yourself to the Parliament, or Committees of both Kingdoms, and not make your Address to me, who am not to speak or hear any thing of Publick Concernment, but what shall be Recommended to me by them. I shall add nothing, but remain

Ludberry, July 23. 1645.

Your Loving Friend,

LEVEN

Nephew,

I Receiv'd yours, and shall be ever willing to witness my Interest to you, wherein I can be steadable in your own particular and private Business: But for these Matters of Publick Concernment which you would communicate to me, tho' your Affection and Judgment in these Affairs, hath not hitherto been such as I would have desired, yet if now God hath given you better Thoughts towards the Good of his Cause, and the Peace of these Kingdoms, and that you do really apply yourself that way, I wish your Discretion had carried you to have made your Address to those to whom Matters of that kind do belong, namely to the Parliaments of both Kingdoms, or their Committees, who will be very willing to hear of you what may tend to the Glory of God, Honour of the King, and Peace of the Kingdom: All which I am confident are the Desires of all Honest Men, and of none more than of

Ludberry, July 23. 1645.

Your Loving Uncle,

Calendar.

Upon *Leven*'s communicating this Overture and Papers to the Parliament, they Ordered a Letter of Thanks, and a Jewel of 500 *l.* Price to be sent unto him.

And now the Question was, Whether the *Scots* should set down before *Worcester* or *Hereford?* At the first they would more easily

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and better be provided of all Neceſſaries, both for the Siege, and Entertainment of the Soldiers; the King had not another Paſs upon the *Severn*, and it brought much Trade to *London:* But on the other ſide, *Hereford* was nearer the King's Quarters, where they could more hinder his Recruits, and break his Forces, and thereby *Worceſter* too would in a manner be Block'd up, the Parliaments Troops having three ſides of it already; therefore it was concluded they ſhould attempt the latter, and accordingly drew before it *July* the 30*th*, and next Day ſent in this Summons.

For the Governour of Hereford.

S I R,

The *Scots* Summons ſent to the Governour of *Hereford*, July 31. 1645.

OUR appearance before you in this Poſture is for no other End, but for the ſettling of Truth with Peace in *England*, without the leaſt deſire to ſhed the Blood of any Subject in it: Our by-paſt Actions may be a ſufficient Evidence thereof. This is to Summon and require you to deliver up the City unto me, to be kept for the uſe of his Majeſty and the Parliament of *England*, whereunto if you ſhall be ſo wiſe and happy as to condeſcend, you may have Conditions Honourable and Safe; but if otherwiſe worſe Counſel ſhall ſo far prevail with you, as to contemn this Offer, I am perſuaded all the World, and you alſo will acquit us of the manifold Inconveniences which will undoubtedly enſue upon your Refuſal. Conſider ſadly of your own Condition, and of thoſe now under your Charge, whoſe Blood will be laid upon your Account, and return Anſwer unto me within three Hours after the Receipt hereof. Given at the Leaguer before *Hereford* this laſt Day of *July* about Ten of the Clock in the Forenoon.

L E V E N

At the ſame time a Letter was ſent from the Commiſſioners reſiding in that Army to the Mayor and Townſmen in theſe Words.

Gentlemen,

A Letter at the ſame time to the Mayor and Townſmen.

WE the Commiſſioners appointed by the Parliament of *England*, to reſide in the *Scotiſh* Army, foreſeeing the great Miſeries and Calamities that are like to enſue in this City of *Hereford*, in caſe the Summons ſent by his Excellency General *Leven* ſhall be refuſed by the Governour, have thought good to give you timely advice to put to your utmoſt Endeavours that a poſitive and ſatisfactory Anſwer may be returned thereunto, leſt that by a wilful delay or refuſal you bring utter ruin and deſtruction not only upon yourſelves, but all that are with you, which will not lie in the power of any to prevent. From the Leaguer before *Hereford*, July 31. 1645.

For the Mayor, Aldermen and Commons of the City of Hereford, *Theſe.*

Your Loving Friends,
John Corbet.
William Purefoy
Edw. Baynton.
Humph. Salway.

My Lord,

The Governour's Anſwer.

I Am not to give up the King's Garriſons upon any Summons or Letter, neither ſhall it be in the power of the Mayor, or other, to condeſcend to any ſuch Propoſition made unto them: I was ſet in here by the King's Command, and ſhall not quit it but by Special Order from his

his Majesty or the Prince: And with this Resolution I shall persist. In *Hereford* this last of *July* 1645.

For the Right Honourable the Earl of Leven, *General of the* Scotish *Army, These.*

B. *Scudamore.*

The *Scots* continued here till about the beginning of *September*, and then raised their Siege. The occasions and reasons whereof they soon after publish'd as followeth.

A Declaration of his Excellency the Earl of Leven.

A Declaration of his Excellency the Earl of *Leven*, concerning the rising of the *Scotish* Army from the Siege of the City of *Hereford.*

LEST the misrepresentation of our Affairs at a distance, and the misconstructions of such as want Affection, might possibly beget a misunderstanding of the reality and sincerity of our Intentions and Desires, to be useful to this Kingdom, and to improve every Opportunity and advantage for advancing the Publick Service; I have thought it necessary to declare and make known the Grounds and Reasons of the rising of this Army from the Siege of *Hereford*, which are as follow.

At our first undertaking of this Service we had large Promises, for furnishing and providing our Army with Victuals, and with all Materials necessary for a Siege; in both which we have been exceedingly disappointed. Concerning the first, the Honourable Houses of Parliament did appoint 200 *l. per diem* to be Assessed upon *Herefordshire*, and the adjacent Counties, to be paid to the Infantry of the Army, whereof they never received a farthing, but for the most part have been left to their own shift, and constrained to eat Fruit and the Corns that were growing upon the ground, and now for these six or seven Months past, have received but one Months Pay, which was advanced by the City of *London*.

As the Army hath been much discouraged for want of necessary Provisions for their maintenance, so the Service hath been exceedingly retarded by the want of Battering Pieces and Ball, for we had only from *Gloucester* three Guns of Eighteen Pound Ball, and to each of them fifty Ball, so that we were forced to send to the Iron Mills to cause more Ball to be cast, which spent a great deal of time; we entertained fifty Miners, and when the Mines were brought to perfection, they were drowned by reason of eight days continual Rain, the Town being low in Situation: Notwithstanding all which discouragements, after consultation with the General Officers, Orders were issued upon *Monday* the first of this Instant, to the several Regiments, to make ready for a Storm against the next Morning; but within a few Hours after these Orders were issued, there came a Messenger from *Evesham* with intelligence that the King's Horse, being about 3000, had a Rendezvous on *Broadway* and *Cambden-Hill*, and were marching to *Worcester*: This Intelligence was immediately confirmed by Letters from the Committee of *Evesham*, and from *Gloucester*, to the Commissioners of Parliament, and from Col. *Freeman*, and Col. *Devereux*, (who sent a Copy of a Letter which he had from one of his Servants;) some of those Informations say the Enemy was 7000, and others say 6000, and at least 3000. All this could not have made us alter our former Resolutions, but at the same time we received a Letter from Lieutenant General *David Lesley*, shewing that he was gone to *Scotland* with the whole Party of Horse and Dragoons under his Command. In this conjuncture we were not a little perplexed how to carry our selves, for when we thought upon all the pains and hazards we had undergone, and the fair probability of our speedy compassing the end we proposed therein, we were very desirous to have continued in our Resolutions, and the next day to have adventured a Storm; but the Enemies Forces consisting in Horse and Dragoons, and we having no considerable strength of Horse to interpose betwixt us and their Quarters, which

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were so near, that they might easily have assaulted us before our Breaches could be made, and so have interrupted us in the midst of the Action; it was generally conceived a very dangerous Attempt, for if the Enemies Forces should fall upon us before we could enter the Town, it was the apparent Ruin and Destruction of the Army: And albeit we had been assured to carry the Place before the King's Forces could have come this length, (which by our Intelligence we find was not possible for us to do) yet having no considerable strength of Horse to Oppose the Enemy, all the Ways and Passages had been close shut up by their Cavalry, all accommodation of Draughts and Provisions of Victuals had been totally cut off, besides many more Inconveniences, from which we knew no Way how to be relieved. For preventing of all which, and the preservation of this Army, for the Publick Good of both Kingdoms, (which is the measure of our Desires, and the End of all our Actions) after a full Debate and serious Deliberation, it was resolv'd by the Committee of both Kingdoms, risiding with this Army, that the Siege should be raised, and thereupon Orders were given for drawing off the whole Body of the Army to the open Fields, which was accordingly performed next Morning, without any Loss upon our Side, and the Enemy several Times sallying forth, both with Horse and Boat, were beaten back with the Loss of divers, both Officers and Soldiers. These Grounds and Reasons impartially Weighed, will Evidence a conjuncture of Necessities laid upon us for preferring the safety of the Army to the uncertain Event of a Dangerous Assault, in the now Posture of Affairs, when a Cruel Enemy is Master of the Fields in *Scotland*, and for these three Weeks past, hath robbed, plundered and spoiled the Substance of that Kingdom at his Pleasure, destroying the Lands and Houses of the well-affected by Fire, and Imprisoning their Persons, for all which he pretended no other Quarrel, but the Assistance given by us to this Kingdom; which as it was performed with much readiness and cheerfulness, and no less Expence in the hardest Season of the Year, and when this Kingdom was in its lowest Condition; so we are confident to meet with the like kindness and cheerful Affection in the Day of our Calamity, when the Lord is pleased to hide his Countenance from us for our Sins and Provocations against him.

LEVEN.

The Letters in the before-going Declaration mentioned.

Gentlemen,

KNowing the great Importance that the Knowledge of the Motion of the King's Army may be unto you, in Discharge of our Duty; these are to signifie unto you that yesterday the King's Army kept their Rendezvous near *Marton* in *Marsh*, where the King was in Person: (since we hear he is gone to *Oxford.*) This Morning his Army Rendezvoused upon *Broad-way-Hills*, and are marching over *Bidford-Bridge*, and thence to *Worcester*, as Prisoners taken by us inform us. Their Commanders in Chief, are General *Gerrard*, and Sir *Marmaduke Langdale*; their Number about 3000 Horse, scarce any Dragoons. Their Horse are much spent with their long Marches: How far this may concern *Hereford*, is referred to your Judicious Consideration, by

Evesham, 31. of *August*, 1645.

Your Affectionate Friends and Humble Servants,

Edward Rouss.
William Lingon.
John Dormer.
Samuel Knightley.
Edward Smith.

For the Honourable the Commoners of Parliament of England, *residing with the* Scotish *Army*,

Gentlemen,

21 *Caroli.*

Gentlemen,

WE have Intelligence but now, from the Committee of *Worcester*, which we were by them desired to Communicate to you, that upon *Saturday* last the King's Army kept their Rendezvous near *Marton* in *Marsh*, (where the King was in Person) that yesterday Morning the King kept his Rendezvous upon *Broad-Way-Hills*, and did march over *Bidford-Bridge*, and thence to *Worcester*, they were about 3000 Horse, few Dragoons, or none, their Horse much spent, Commanded by *Langdale*, and *Gerrard*: The King himself is gone to *Oxford*. The which having acquainted you with, we rest assured, that you will presently Acquaint the General, with

Gentlemen,

Gloucester, 1. of *Septemb.* 1645. *Your Loving Friends and Servants,*

Tho. Morgan.

William Shepheard.

Henry Jones.

For our much Honoured Friends, the Commoners appointed to assist the Scotish *Army residing in* Herefordshire.

May it please your Excellency,

NO sooner had I addressed myself to the Obedience of your Commands in settling Part of our Brigade in a ready Posture to serve your Excellency, but I receiv'd this Intelligence: That the Enemy fell upon Capt. *Bernard*, and Capt. *Ennes* Quarters at *Cambden*, and took all their Men but two, which brought me the News thereof: they tell me that they march 6000 strong in Horse, but neither Train of Artillery, nor Infantry attending them. The smallest Number I hear of is 3000, very able Horses newly recruited out of the Associated Counties, and joining with *Oxenford*, *Wallingford*, *Woodstock*, *Radford*, *Farington*, and *Banbury* Horse. I am uniting all the Foot possibly I may, and have drawn all my Horse to pursue the Rear, and if their Army come towards your Excellency, I will leave that pursuit, and draw all the Force I can to serve you. In the mean Time I shall beg your Excellency to esteem me

Corssour the first of *Septemb.* 1645. *The Humblest of Your Excellency's Servants,*

EDW. FREEMAN.

Honourable Master,

THESE are to certifie you that his Majesty came yester-night into *Worcester*; they say he hath 7000 Soldiers; the Speech is amongst the Soldiers, they are this Day to go to *Cannon-Froom*; if you please to send by this Messenger where I shall meet some other Man to Morrow Morning, you shall have further Intelligence, and in the interim I will use the best Means I can to further the Business.

Sept. 1. 1645. *Your Servant,*

For Col. *Deverux.* *Sic subs.* §§.

May it please you Excellency,

I Did acquaint you formerly with my Resolution to go to *Scotland* with four Regiments of Horse, and a Regiment of Dragoons, and leave the rest under the Command of General Major *Middleton*; but I am since forced to alter that Resolution, for the sad News of the last Defeat of our Army near *Kilsith*, and of the Enemies being Master of the Field at Home being

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Nottingham, Aug. 26. 1645.

Your Excellency's moſt Humble Servant,

DAVID LESLEY.

The *Scots* marched away to *Glouceſter*, and ſo towards *Warwick* Northwards; Lieut. Gen. *David Leſley* being with a ſtrong Party of Horſe and Dragoons gone ſome time before into *Scotland*, of whoſe Encounter with the Marqueſs of *Montroſs* we ſhall have occaſion to ſpeak in the particular Chapter of the Affairs of that Kingdom.

On the 23*d* of *Septemb.* the Commons Ordered that the *Scotiſh* Army in *England* ſhould be deſired to ſit down before *Newark*, and that they ſhould lay no Aſſeſſments or Contributions on any County in this Kingdom, but that the Eaſtern Aſſociation ſhould pay 1400 *l. per* Week to the ſaid *Scot's* Army for their maintenance. And on the *6th* of *Octob.* added, That at their ſitting down before that Garriſon they ſhould have 30000 Pounds paid them, with Proviſion of Match, Powder, Bullet and other Neceſſaries; which on the 13*th* they qualified thus, That the *Scots* ſhould have the ſaid 30000 *l.* paid them if they ſhould ſit down before *Newark* by the firſt of *November* next, or elſe not. And alſo on the Report that one Mr. *Caſe* was to be tryed by a Council of War of the *Scotiſh* Army, Voted, That the *Scotiſh* Army in this Kingdom have no power to Try any *Engliſh* Man by Martial Law, and that the ſaid Mr. *Caſe* ought to have ſatisfaction therein.

And on the 14*th* of *Octob.* both Houſes paſs'd the Votes enſuing:

1. That the Houſes will obſerve, and deſire to continue the Aſſiſtance, Amity, and Friendſhip betwixt both Kingdoms according to the Solemn League and Covenant, and their Treaty.

2. That the Receding of the *Scotiſh* Army into thoſe Parts of *Yorkſhire*, where they now are, is not ſo uſeful to this Kingdom, as if they came and ſat down before *Newark*, neither ought they to lay Taxes on the Country where they come, without making ſatisfaction.

3. That *Carliſle*, *Tinby*-Caſtle, *Hartlepool*, and other Garriſons in the *North*, now in the Poſſeſſion of the *Scots*, are to be diſpoſed of according to the directions of the Parliament.

4. That if the *Scots* ſat down before *Newark*, according to the former Vote by the firſt of *November* next, they ſhould have forthwith 30000 *l.* towards their Pay, *&c.*

Alſo Commiſſioners were ſent down to Treat with the *Scots* Commiſſioners, touching the *Scots* rendition of all the Forts, Caſtles, and Places Garriſon'd by them in *England*, and upon their return, the reaſons alledg'd to the contrary were held inſufficient, and a Letter Ordered to be ſent to the Parliament of *Scotland* about it.

At last the *Scots* did according to the Two Houses Directions come back to *Newark*, and Joyned with the Forces Besieging that Town, where they continued till the beginning of *May* following, at which time his Majesty thought fit to come privately to their Army, and intrust his Royal Person with them, as shall be related in its proper Place.

As for the rest of the Military Occurrences of this Year 1645, considerable, and not comprehended under any of the Heads before mentioned, take them in the Series of time when they were Transacted, as follows.

On the first of *August* Major General *Langhorn* of the Parliaments side, drawing out some Forces out of the Garrisons of *Pembroke* and *Tinby*, Engaged Major General *Stradling*, and Major General *Egerton*, with about 1000 Foot, and 400 Horse, and four Field-pieces on *Colby-Moor*, three Miles from *Haverford West*; a sharp Encounter there was, both sides fighting briskly for above an Hour, but in Conclusion the Royal Horse gave Ground and deserted their Foot, so that besides 150 kill'd on the Place, and in the Pursuit, there were near 600 taken Prisoners, amongst whom some Men of Note, as Lieutenant Col. *Price*, Major *Brande*, Major *Guddinge*, Seven Captains, Four Guns, Five Barrels of Powder, &c. and pursued them to *Haverford* Town, which that Night they deserted, and next Day *Langhorn* entred it, and on the 5*th* Stormed and took the Castle, and therein Col. *Manley* the Governour, 120 Arms, &c.

On the 12*th* of *Octob.* the same Maj. Gen. *Langhorn* by agreement with the Country was admitted into *Carmarthen* Town and Castle, the Town declaring for the Parliament.

About the same time Col. *Morgan* Governour of *Gloucester*, with 300 Horse, and 400 Foot, assisted by the *Monmouthshire*-Men, came before the Town of *Chepstow*, and with little difficulty gained possession of it, and then sent the following Summons to the Governour of the Castle, Col. *Fitzmorris* an *Irish* Man.

SIR,

I Am commanded by his Excellency Sir *Thomas Fairfax* to demand this Castle for the use of King and Parliament, which I require of you, and to lay down your Arms, and accept of reasonable Propositions, which will be granted both to you and your Soldiers if you observe this Summons. And further you are to consider of what Nation and Religion you are; if you refuse this Summons you exclude yourself from Mercy, and are to expect for yourself and Soldiers no better than *Stinchcombe* * Quarter; I expect your sudden Answer, and according thereunto shall rest

* A place where the Parliament complained that Prince *Rupert* put their Men to the Sword.

Chepstow the 6*th* of *Octob.* 1645

Your Friend,
THO. MORGAN.

The Answer.

SIR,

I Have the same Reason to keep this Castle for my Master the King, as you to demand it for General *Fairfax*, and until my Reason be convinc'd, and my Provision decreas'd, I shall, (notwithstanding my Religion and Menaces of Extirpation) continue in my Resolution, and in my Fidelity and Loyalty to my King. As for *Stinchcombe* Quarter I know not

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not what you mean by it, nor do depend upon your Intelligence for Relief, which in any Indigence I assure me of, and in that Assurance, I rest

Your Servant,

Chepstow,
Oct. 6.

Robert Fitzmorrice.

What Quarter you give me and my Soldiers, I refer to the Consideration of all Soldiers, when I am constrained to seek for any.

Morgan takes *Chepstow* Castle, *Oct.* 10

But four Days after he Surrendred upon Articles, wherein fair Quarter was granted for him and all his Soldiers as to their Lives, but to deliver up the Castle, and all Arms, Ammunition, and other things therein, and to remain Prisoners of War.

And *Monmouth, Oct.* 22.

From thence *Morgan* advanc'd to *Monmouth*, took the Town, and after three Days Siege, the Castle, and in it Seven Pieces of Ordnance, 300 Musquets, 100 Pikes, 10 Barrels of Powder, *&c.*

Whilst these Accidents happen'd in *Wales*, greater Disasters befell His Majesty's Interests in the *North*, the Lord *Digby* and Sir *Marmaduke Langdale* with a brave Party about 1500 Horse, advancing towards *Scotland* to Joyn with *Montross*, having surprized and taken Prisoners near 1000 of *Poyntz*'s Foot at *Sherburn* in *Yorkshire*, were suddenly Defeated, and all those Prisoners rescued, and afterwards *Digby* utterly Routed at *Carlisle*-Sands, the Circumstances whereof were thus:

Whilst the King was at *Newark*, on *Sunday*, *Octob.* the 12*th*, he marched out from thence to *Welbeck*, where he drew out 1200 Horse, giving the Chief Command to the Lord *Digby*, whom Sir *Marmaduke Langdale* was to accompany, with Orders to march to *Scotland* and joyn *Montross*, who complained much for want of Cavalry, and out of respect to the Lord *Digby* in this his new Military Imploy, above 300 Gentlemen offered themselves voluntarily to attend him. But the nature of this Expedition, and the true Grounds of *Digby*'s Undertaking, will better appear by the following Letter of his Lordship, wrote some time after out of *Ireland*, and Intercepted (amongst other Papers) at *Padstow* in *Cornwall*.

To Sir Edward Hide *Chancellor of the* Exchequer.

My Dear Chancellor,

The Lord *Digby*'s Letter to Sir *Edw. Hide*, *Jan.* 4, 1645.

I Seize with much Joy this Occasion that flatters me with the Hopes of conveying safe unto you, and by you unto the rest of my Friends there, an Account of my Adventures; since you heard from me, these inclosed Papers will give you a very particular Relation of all Matters of Fact; I make no Question but my Unsuccessfulness in that Employment, will give Occasion to my Enemies to Accuse me of a great Disservice to the King, in having been the Loss of so many of his Horse, not in the Conduct of them (for I apprehend not Malice itself in that Point) but in putting them upon so desperate a Design. This Point I desire you to clear by letting all, with whom you shall find the Objection, know, That although I was of Opinion, that the King himself ought to have ventured, when he was at *Welbeck* the Passage into *Scotland*, in case there had been a Certainty of my Lord of *Montross*'s being on this side *Forth*, yet when that was once diverted, upon both my Intelligence and Advice, I had afterwards the least Share of any Man in the Council, of adventuring any Part of the King's Horse upon so hopeless a Design, as that of *Scotland* was, while we were doubtful of my Lord of *Montross*'s Condition; but the *Northern* Horse being disgusted with *Gerrard*, refusing absolutely

lutely to march back Southward to *Welbeck*, and so rather than they should Disband, it was thought fit to try whether they would be engaged to adventure to *Montross*, who, in all his Letters had seemed much to resent the neglect of him, in not sending him a Supply of Horse, assuring, That with the help but of 1000, he could carry through his Work: The Proposition being made to Sir *Marmaduke Langdale*, he at first point-blank refused it, as an Undertaking which had by *Gerrard* and all the rest been declared Desperate, even with all the King's Horse; but upon second Thoughts, he and all the Northern Gentlemen came to the King and told him, That if he would lay his Commands upon me to take the Charge aud to go along with them, they would adventure it, otherwise not: Whereupon, I having declared my Obedience to whatsoever the King would impose upon me, His Majesty comanded me positively to that Charge, using besides his Pleasure, this Argument to me, That if I succeeded in it, I should reap much Honour; if not, I could incur no Prejudice by failing, in that which was at first given for desperate; and so at half an Hour's warning having (I protest to God) not dream'd of the Matter before I march'd off from the Rendezvous, with an Addition only to the Northern Horse, of such as would voluntarily chuse to go with me, which proved to be a matter of three Hundred, with which I made that Progress, which you will find related in the inclosed Papers. But here I am sure you will wonder, how, I holding that Place I did near the King, and having the Honour of so great a Part in his Trust, especially at a Time when he had scarce either Councellor or Pen-man about him, should be put upon so extravagant and desperate an Employment: To this I must let you know, and such only as you shall think fit, That though I had no Thought of the present Action, yet the King and I had long before, (that is ever since his Affairs were made so desperate by the Loss of *Bristol*) concluded it most for his Service, that I should absent myself from him for some time, in case I could find a fair and Honourable Pretence for it: I believe the Accidents since befalien at *Newark* with Prince *Rupert* and *Gerrard*, will have given you a Light of some Reasons of my Remove. The Truth, [*Here follows many Lines of Characters.*]

Caroli 21.

Over and above these urging Reasons, as to the Time upon the Main of the King's Condition and mine and found the King likely to suffer much by my stay near him, the weariness of the War being so Universal, and the Despair of my Approvement in his Condition being so great in all about him, I found it almost every Man's Opinion. [*Here come in more Lines of Characters.*]

I thought it then high time to watch an Opportunity of seeing his Majesty from an Attendant so pernicious to his Honour and Interest; and this my dearest Friend, is as much as, I think, necessary to say to you upon this Subject, hoping that by your dextrous Conveyance of it to his Highness the Prince of *Wales*, it will have the same Impression with him which I cannot doubt of with you.

Since my coming out of *England* I staid a Month for a Wind at the *Isle of Man*, which Time I cannot think mis-spent, having there received great Civilities from my Lord of *Derby*, and had the means of a particular Acquaintance with his Noble Lady, whom I think one of the wisest and generousest Persons that I have known of her Sex. From thence I and my Company were very securely conveyed hither in a light Frigate of his Lordship's, where I found all Things in a great forwardness, the Conclusion of which was expected within few Days, and great Forces (as was pretended) already in a readiness for *England*, under the Command of the Earl of *Glamorgan* the Confederates Great General and Favourite: But his Lordship being sent for by my Lord Lieutenant and myself, to confer about the ways of disposing those Aids most to the Advantage of his Majesty's Service, the Businesses contained in the inclosed Papers brake forth in such manner as you will find these set down, and obliged me to that Part of the King's Vindication, which was thought could not so properly be performed by any as myself, you will find the whole Business so fully stated in the Transactions themselves which I send you,

Touching this Business of *Glamorgan*, see afterwards the Chapt touching the Affairs of *Ireland*.

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you, and in my Letter to my Brother Secretary, that I ſhall need to ſay no more upon the Subject, only let me ask you, whether according to the Rules of Policy, I have not carried my Body *Swimmingly*, who being before ſo irreconcilably hated by the *Puritan* Party, have thus ſeaſonably made myſelf as odious with the *Papiſts*. Well, my comfort is, that the very few honeſt Men that are in the World will love me the better, and whilſt I do the Part of a Man of Integrity and Honour, I am willing to truſt God with the reſt. I muſt not conclude without telling you, that if I had been brought hither by far greater Misfortunes, I could not have repined at any thing that had given me the Happineſs of ſo particular a Knowledge of, and Friendſhip with the Marqueſs of *Ormond*, who (if I can judge at all of Men) is not only the wiſeſt young Man, but the moſt ſteady, generous, and virtuous Perſon that I have ever known. I conjure you, as you love Virtue, and as you love me, who have ſo little a Share of it, build carefully by the diligent Application upon thoſe Grounds which I have laid for a Friendſhip between you; for indeed I love him ſo much as I cannot be at reſt till we make up the Triangle equal on all ſides to that Perfection wherewith I am

Dublin, Jan. 4. 1645.

Yours,
George Digby.

Pray fail not to let my Father partake of what I write to you, and General *Goring* alſo, as far forth as you ſhall judge neceſſary.

Lord *Digby*'s Motions, towards *Doncaſter*.

But to return to my Lord *Digby*'s March: From *Welbeck* he ſpeedily advanced to *Doncaſter*, took the Centry and the Parliament Soldiers that were there fled, without making any Reſiſtance, whoſe Quarters at *Cuſworth*, and ſeveral other Towns they beat up, and ſo proceeded to *Sherburn*, where they routed Col. *Wren*'s Regiment of Horſe, and took almoſt a Thouſand Foot Priſoners. And laid their Arms on an Heap in *Sherburn*-Street, till they could get Carriages to ſend them away; But before they could provide them, Col. *Copley* with a Party of about thirteen hundred came up to them, upon whoſe approach the Lord *Digby* and Sir *Marmaduke* drew out to meet them, and both ſides Charged with extraordinary Gallantry, but after a ſharp and doubtful Conteſt, *Copley*'s Men had the Advantage, and put the others to the Rout, recovering not only all their own Foot and Arms, but alſo taking about 300 Priſoners, and many of them Perſons of Note, together with the Lord *Digby*'s Coach, and therein ſeveral Letters and Papers, which were afterwards Printed by Order of the Two Houſes, and to recite them here would too much ſwell this Volume.

Is routed by Col. *Copley*.

Letters taken

The Principal Contents were, 1. Several Letters from *Goff*, (an Agent employ'd in *Holland*) to the Lord *Jermin* at *Paris*; and the Lord *Digby*, touching a Negotiation then on Foot, and wherein he was imploy'd for a Match between his Highneſs the Prince of *Wales* and the Prince of *Orange*'s Daughter, thereby to Engage the States of *Holland* to Eſpouſe the King's Intereſts. 2. Other Letters from the Lord *Jermin* at *Paris* to the Lord *Digby* touching a Treaty for bringing over the Duke of *Lorrain* with an Army to the King's Aſſiſtance. As alſo concerning Aids from the King of *Denmark*, and the Prince of *Curland*. And in one of them Dated *June* the 9*th* 1645, 'tis mention'd that Sir *Kenelm Digby* was arrived at *Rome*, had Audience of the Pope, who had given him the beſt Reception that the firſt Viſit was capable of, that is, the faireſt Promiſes in general that can be wiſh'd; if he may be relyed on, there are good Hopes of Money there, &c. 3*ly*, Letters concerning *Ireland*, and a Treaty of *Fitz-Williams*

Williams an *Irish* Man with the Queen, who propounded to bring over from thence Ten Thousand Men, &c. 21 *Caroli.*

This is the Substance of most of those Letters, but there being one which gives great Light to the State of the King's Affairs at that Juncture, I shall, for the Reader's Satisfaction, recite the same at large, as follows.

My Dear Lord,

Lord *Digby*'s Letter to my Lord *Jermin*, *Aug.* 27. 1645.

IT is a great Comfort to us to hear by this Express, that Her Majesty preserves Her Health notwithstanding that Trouble of Mind which our Misfortunes must needs have given Her; and that instead of dispairing, Her Majesty and you do rather improve your Diligence to procure us Aids; God send that your Hopes may succeed. For my part, I think there is more Probability in that of *Denmark* for Men, now the Peace is concluded with the *Swedes*, and for Money from *Rome*, than any other Way. The Business of *Ireland* hath hung long in Suspence, altho' the King hath long since given the Lord of *Ormond* Power to conclude Peace there, upon the very utmost Concession that can possibly be yielded unto, without causing a Revolt, not only of all his Party here, but also such an one of his Army, and all his Protestant Subjects there, as would make it impossible for the *Irish* to afford us any Aids, they would have so much to do within themselves against those that would not submit to Peace upon such Terms. The Truth of it is, the *Irish* have proceeded hitherto, as if they had no good Intention, having not been contented with the Offers of more than their Agents did profess to expect, and have insisted upon those Demands, the granting of which they could not but see, would be absolutely destructive to His Majesty, that is, the granting unto them the Protestant Churches in such Parishes where the Number of the Catholicks was greater, that is in effect all through *Ireland*. And whereas you write that perhaps my Lord of *Ormond* is not the fit Person to conclude that Business, but that the Management of it should be remitted to the Queen, I am much afraid that the Expectation of that in the *Irish* hath much retarded the hoped for Issue of the Treaty, but (God be thanked) we receiv'd Men: Now the certain News is that the Peace there is concluded, and that an Express from my Lord of *Ormond* is upon his way from *Chester* with all the Particulars. The utmost extent of my Lord of *Ormond*'s Power to grant, was the Suspension of *Poining*'s Act as to the passing of such Bills as should be first agreed on; the Repeal of the Penal Laws, and the allowing the Papists some Chappels in private Places for the Exercise of their Religion; but you may not take notice that he had so large a Power, for happily he may have obtained a Peace upon a better Bargain. Thus much for that Business.

His Majesty approves very well of the Course proposed by you for such Aids as may be obtained from *Denmark*; but above all things let the Matter of Money be labour'd in, for without some competent Stock of that against the next *Spring*, it will be impossible for us ever to have a Resourse again. My former Letters will have acquainted you with our Progress, since our Retreat from *Wales*, and the Reasons of it, and I make no doubt but you will be satisfied, that the King's Business hath been as well Conducted in that Retreat from *Wales*, as the desperateness of our Condition could admit of. And that in fine, we are likely to have gain'd the only thing we could hope for, which was to preserve His Majesty's Person safe, till the Season of the Year should secure him in any of his Principal Garrisons from the danger of a Siege. 'Tis true, I could have wisht that the Rebels had given us some leisure, either in the *North*, or at *Huntington*, (where we have done them some Mischief, and gained some Reputation) and not obliged us to go to *Oxford*, yet this Fortnight, but pressing us as they have done, and do, it is not to be avoided; but I hope it is not possible, that they can any ways endanger *Oxford* before the Winter relieve it.

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You write to me to tell you freely our Condition without flattering you or myself; you will find in my Letter of late, especially by *Porter*, that I have not been Guilty of that Fault, nor shall I now: But the freedom which I shall at this time use in stating to you the greatest Mystery of our Misfortunes, I desire may be receiv'd by you as the Breathings out of my Soul unto my Dearest Friend by way of Prediction. It is most true, that as desperate as our Condition seems, I have no Apprehension, but that having got thus far in the Year, we shall be safe till the next, from any further great Mischiefs, and that probably by Helps from *Denmark* and *Ireland*, and Moneys from you, our Quarters being well-manag'd for the Preservation and Recruit of our remaining Forces, we may possibly have a fresh and hopeful Resource the next *Spring*. These Hopes I am confident the Condition of our Business itself will bear, would the Humours of our own Party bear the Patience: But alas, my Lord! we must not expect it, there is such an universal Weariness of the War, despair of a Possibility for the King to recover, and so much of private Interests grown from these upon every Body, that I protest to God, I do not know four Persons living, besides myself and you, that have not already given clear Demonstrations, that they will purchase their own, and (as they flatter themselves) the Kingdoms quiet at any Price to the King, to the Church, to the faithfullest of his Party. And to deal freely with you, I do not think it will be in the King's Power to hinder himself from being forced to accept such Conditions as the Rebels will give him; and that the next News you will hear, after we have been one Month at *Oxford*, will be, that I and those few others who may be thought by our Counsels to fortify the King's Infirmness to his Principles, shall be forced or torn from him, and you will find the prime Instruments to impose the Necessity upon the King, of submitting to what they and most of the King's Party at *Oxford* shall think fit. Truly, I have great Confidence in the King's Virtue and Steadiness, and I am much improved in it by this enclosed Letter which he wrote in his great Distress in *Wales*, upon Occasion of declaring unto him, there was nothing left for him to do but to seek Conditions. I protest to God I knew nothing either of the Letter or the Occasion, till a good while after it was sent; but having then gained a sight of it, I got leave to communicate a Copy of it only to the Queen, and to yourself. My Dear Lord, I shall add no more at this time, but only to conjure you, first, to believe, if I have any Truth or Honour in me, I have not the least unfriendly Thought in the World towards any mentioned or pointed at in this Letter, more than purely in relation to the King's Service. And in the next Place, that tho' I stand single against all the World, I shall not vary a Tittle from those Foundations of Justice and Right to the Honour and Interest of my Gracious Master and Mistress which I have profess'd myself built upon, and that I will in spight of the World carry to my Grave the Honour of a Servant intirely faithful and unbias'd, and of being worthy that happy Relation to you of

Ascot, *Aug.* 27. 1645. *Your best Friend and Faithfullest Servant.*

The Letter here mentioned is this which follows, sent some time before from His Majesty to Prince *Rupert* (a Copy whereof was seiz'd amongst the Lord *Digby*'s Papers.)

The King's Letter to Prince *Rupert*.

C. R.

NEphew, This is occasion'd by a Letter of yours which the Duke of *Richmond* shew'd me yesterday: And first, I assure you, I have been (and ever will be) very careful to Advertise you of my Resolutions so soon as they were undertaken; and if I injoined Silence to that which was no *Secret*, it was not my Fault, for I thought it one, and I am sure it ought to have been so. Now as for your Opinion of my Business, and your

your Counsel thereupon, if I had any other Quarrel but the Defence of my Religion, Crown and Friends, you had full Reason for your Advice; for I confess that speaking as a meer Soldier, or Statesman, I must say, there is no probability but of my Ruin; yet as a Christian I must tell you, that God will not suffer Rebels and Traytors to prosper, nor this Cause to be overthrown. And whatever Personal Punishment it shall please him to inflict upon me, must not make me repine, much less give over this Quarrel; and there is as little Question that a Composition with them at this time, is nothing else but a Submission, which by the Grace of God I am resolved against whatever it cost me: For I know my Obligation to be both in Conscience and Honour, neither to abandon God's Cause, injure my Successors, nor forsake my Friends. Indeed I cannot flatter myself with Expectation of good Success more than this, to end my Days with Honour and a good Conscience, which obligeth me to continue my Endeavours, in not despairing that God may yet in due time avenge his own Cause. Tho' I must aver to all my Friends that he that will stay with me at this Time, must expect and resolve either to die for a good Cause, or (which is worse) to live as miserable in maintaining it as the Violence of insulting Rebels can make him.

Having thus truly and impartially stated my Case unto you, and plainly told you my Resolutions, which by the Grace of God I will not alter, they being neither lightly nor suddenly Grounded; I earnestly desire you not in any wise to hearken now after Treaties, assuring you that as low as I am, I will do no more than was offered in my Name at *Uxbridge*. Confessing that it were as great a Miracle that they should agree to so much Reason, as that I should be within a Month in the same Condition that I was immediately before the Battel at *Naseby*. Therefore for God's sake let us not flatter ourselves with these Conceits. And, believe me, the very Imagination that you are desirous of a Treaty will but lose me so much the sooner; wherefore as you love me, whatsoever you have already done, apply your Discourse hereafter to my Resolution and Judgment. As for the *Irish*, I assure you, they shall not Cheat me, but it is possible they may Cozen themselves; for be assured what I have refused to the *English*, I will not grant to the *Irish* Rebels, never trusting to that kind of People (of what Nation soever) more than I see by their Actions. And I am sending to *Ormond* such a Dispatch as I am sure will please you and all honest Men, a Copy whereof, by the next Opportunity, you shall have. *Lastly*, Be confident I would not have put you nor myself to the trouble of this long Letter, had I not a great Estimation of you, and a full Confidence of your Friendship too.

Caerdiffe, Aug. 5. 1645. C. R.

But this Defeat at *Sherburn* was not the worst of my L. *Digby*'s Misfortunes, for hastening thence towards *Skipton*, he and Sir *Marmaduke Langdale* sent to those of the King's Party in *Lancashire* and *Cumberland*, to come and joyn with them, and endeavour'd to have pass'd by *Kirby-Lunsdale*, but Col. *Briggs* secured that Pass against them, and made them turn by the Way of the Sands about *Partmach* to get into *Cumberland*; Lieut. Gen. *Lesley* was before between them and *Montross*, and sent out a Brigade of about 1200 Horse under Maj. Gen. *Vandruske* to meet them, who made good several Passes, but my Lord and his Troops having Sir *William Huddleston* for their chief Guide, got over the Fords at low-Water, and so escaped. Also the Lord *Balmerinoth* with Forces out of the Frontiers of *Scotland* prepared to oppose them, but being skilful in the Ways they wheeled about and avoided him too. At last Sir *John Brown* a *Scotch* Governour of *Carlisle* with a Party met with them about *Carlisle*-Sands, and tho' inferior in Number, Charged them so furiously that he broke through their Body and routed them, kill'd divers; took

Ann. 1645. took my Lord's Standard, and Sir *Marmaduke's*, a Quarter-Master-General, One Colonel, Two Lieutenant Colonels, and several other Prisoners, and about 200 Horses and Arms: On the other side Sir *John Brown* was shot through his Side, Captain *Lesley* also Wounded, and about fifty Slain and Wounded. After this Grand Defeat, endeavouring to get to *Dumfreeze*, and so at last to Joyn *Montross*, and finding their Passage intercepted before, and all Hopes of Retreat barr'd behind, my Lord *Digby* and Sir *Marmaduke*, the Lord *Carnworth*, Sir *William Huddleston*, and about thirty Horse got the Opportunity of some Vessels on the Coasts, and Transported themselves into the *Isle of Man*; and from thence the Lord *Digby* conveyed himself into *Ireland*. The rest of their Forces dispersed several ways, and many of them as they straggled homewards were taken up by *Vandruske*, and the *Northumberland* Forces that stood for the Parliament. As also by Col. *Briggs*, with the *Lancashire* Troops and others.

Lord *Digby* escapes to *Ireland*.

Hereford Surpriz'd by a Stratagem, and taken, *Dec. 8th.*

The next ill News that arrived to his Majesty was out of the *West*; the City of *Hereford* that had withstood the *Scots* Army was now unexpectedly taken by a small Party: The manner thus, Col. *Morgan* (who upon *Massey*'s being call'd to Command in the *West*, succeeded him in the Government of *Gloucester*) and Col. *Birch* who was Governour of *Bath*, (having Intelligence that the Garrison of *Hereford*, since the Remove of the *Scots*, lived very Secure, and Negligent, and wanting not some Correspondence in the City) drew together their Forces, amounting in all to about 2000 Horse and Foot, (*viz.* of *Gloucester* Forces 1050, and from *Bath* 950) resolved to attempt the Surprize of the said City of *Hereford*, whereunto they were encouraged by the convenient Situation of *Ailston*'s Hill which faced the Draw-Bridge, where an Army might lie in Ambush undiscovered by the Centinels, especially since the Guards there were so secure, as to neglect sending out of Scouts, or securing *Lug-Bridge*, and then the Walls of the Priory within Carbine-shot of the Gate, being then standing, gave an Advantage there to Lodge a Forlorn Party of Firelocks: But the main Point was they contriv'd to send an Officer, pretending himself a Constable with six Men with Mattocks and Shovels as Labourers brought by him out of his Parish upon the Summons of the Governour (which were then usually sent out to the Neighbouring Parts) to help to work in the Fortifications of the Garrison, and those coming up to the Gate just after the Draw-Bridge was let down in the Morning, were to take the Opportunity to kill the Guard, and give the Forlorn an Opportunity to enter. The Plot being thus laid, the aforesaid conjoyn'd Forces on *Tuesday* the 16th of *Decemb.* drew towards *Hereford*, but by reason of the deepness of the Snow, the Foot were not able to come up time enough, so that to avoid all Suspicion, they then retreated to *Ledbury* within about nine Miles of *Gloucester*, and there having refresh'd and rested themselves all *Wednesday*, towards Night they again began their March to *Cannon-Froom*, whence Captain *Aldern* with two Troops of Horse secured the three Bridges, viz. *Lug-Bridge*, *Lugwarden-Bridge*, and *Wordifords-Bridge*, by means whereof there could no Alarm or Notice pass unto the Garrison. Between Three and Four a Clock on *Thursday* Morning the Body of Horse and Foot Rendezvous'd together behind *Ailston*'s Hill; then there were 150 Firelocks Commanded out under Capt. *Howorth*, and one of Col. *Birch*'s Captains to the Priory; Lieut. *Barrow* who

was

was to Act the Constable with his six Men, accoutred as Country-Labourers, got ready, and about Eight of the Clock the Draw-Bridge being let fall, brought them up thither, and produced the pretended Return of a Warrant from the Governour, specifying the Names of the Persons sent to Work, who were present with their Spades and Pickaxes, which whilst he that commanded the Guard was viewing, they kill'd him and two others, and held the rest in Play until the Firelocks rush'd up to them, and possessed the Gate, and so let in the whole Body; the Foot being led by *Birch*, the Horse by *Morgan*, who scouring the Streets prevented the Garrison from drawing into a Body, tho' they made all the Resistance they were able, under such a Surprize, so that with little Loss they became Masters of the City, which the Soldiers Plunder'd, tho' the Commanders endeavour'd to prevent it. Here were taken Prisoners the Lord *Brudenell*, Sir *Tho. Lunsford*, Sir *Walter Blunt*, Sir *Henry Spiller*, Sir *Henry Bedington*, Sir *Marmaduke Lloyd*, and many other Knights, Commanders and Gentlemen; Eleven Pieces of Cannon, much Arms, Ammunition, *&c*.

Prisoners taken.

The Two Houses appointed a Thanksgiving for this Success, and Ordered that Lieut. *Barrow* should have 100 *l.* paid him at present, and 50 *l. per Annum* to him and his Heirs for ever out of the Estate of Sir *Henry Lingen*, an Eminent Royallist in those Parts.

West-Chester taken by the Parliaments Forces.

The next grand Loss was that of *West-Chester*, a Place strong in itself, as having high and broad Walls, with many Towers and Bulwarks flanking the same, and since these Wars Fortified by more than ordinary Mud-walls securing the Suburbs, and to compleat the whole, the River *Dee* (in some measure Navigable) secures it on the *West* and *South*, which swells so broad and high in the Tide that no Forces by Land can restrain Relief by Sea; but besides its Strength, its Situation renders it very Advantageous, being as it were the Key of *Ireland*, and a Tye to unite *North-Wales* to *Lancashire* by a small Neck of Land in *Cheshire* five Miles over, the Rivers on both sides Fordable. This important City ever since the beginning of these Troubles, secured by the Commissioners of Array, had been kept for the King; and having so great an Ascendant on those Parts of the Kingdom, the Parliament had used great Endeavours to gain it, much Time and Treasure having been spent by Sir *William Brereton* for reducing thereof; and of *Beeston* Castle, a Neighbouring Garrison first fortified by the Parliament, but upon the Arrival of the Forces out of *Ireland* with other Forces under the Command of Sir *John Byron*, lost by one Capt. *Steel* the Governour (as 'twas said) by Neglect or Cowardice, for which he was sentenc'd to Death by a Council of War and Executed; and thenceforwards it remained in possession of the King's Forces till a while before the taking of *Chester*, and then as a *Prodromus* of its Neighbouring Cities fate was yielded to the Parliament.

We have before in their proper Places Occasionly mention'd several Actions relating to the Siege of *Chester*, needless here to be repeated, as how it was relieved, and the Forces before it forced to rise, upon the approach of Prince *Rupert*, how afterwards Col. *Jones* surprized the Out-works of the City, and the King endeavouring to relieve it, was repell'd at *Routon-Moor*; after which time the Besiegers both there and at *Beeston* Castle plied their Business more earnestly than ever, about the beginning of *October* 1645, sent for great Guns to *Stafford* and *Shrewsbury*, wherewith especially

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ally on the *Welsh* side they did great Execution, and continued Battering, and several times Storming very furiously, but without Success.

On *Saturday*, *Octob.* 25. Sir *William Brereton* (who had been call'd away to *London*) came down again, being appointed by the Parliament to Command in Chief, and having notice that Sir *William Vaughan* was gathering of Forces about *Denbigh* to raise the Siege, sent Col. *Jones* with 1400 Horse and Dragoons, and Adjutant *Louthian* with 1000 Foot to dissipate them, whom they found not to be above 2000 strong at most, yet they fought bravely; but at last *Jones* and *Louthian* put them to flight, kill'd (as was computed) one hundred, and took two or three hundred Prisoners, and several hundred Horses.

Sir *William Vaughan* defeated at *Denbigh*, *Novemb.* 1.

The 14*th* of *November*, *Beeston*-Castle after Eighteen Weeks continual Siege, being reduced to such want of Provisions that they eat Cats, &c. the Governour Col. *Ballard*, in compassion to his Soldiers, consented to beat a Parley, whereupon a Treaty followed, and having obtained very Honourable Conditions (even beyond Expectation in such Extremity, *Viz.* To march out, the Governour and Officers with their Horses and Arms, and their own proper Goods (which loaded two Wains) the common Soldiers with their Arms, Colours flying, Drums beating, Matches alight, and a Proportion of Powder and Ball, and a Convoy to Guard them to *Flint*-Castle. He did on *Sunday* the 16*th* of *Novemb.* surrender the Castle. The Garrison being reduced to not above sixty Men, who marched away according to the Conditions.

The Siege of *Chester* continued still with the utmost Efforts of Courage and Skill both on the Defendants part, and Assailants; for the Lord *Byron* buoy'd up with continual Hopes and Intelligence of Relief from *Ireland*, resolved, if possible, to preserve the Town; and when he perceived those Expectations fail, and began to hearken to a Treaty, insisted on very high Conditions, as appears by this Letter of Sir *William Brereton*'s to him.

Sir *William Brereton*'s Letter to the Lord *Byron* Governour of *Chester*.

My Lord,

I Cannot now send you such Propositions as have been formerly rejected, every Day producing loss of Blood, and expence of Treasure; neither will I trouble myself with answering the Particulars of your unparallell'd Demands; to which if I should suit mine, I could require no less than yourself and all the Officers and Commanders to be my Prisoners, and the rest to submit to Mercy. Yet to Witness my Desires of the Preservation of the City, I have upon serious Consideration and Debate, thought fit to tender these enclosed Conditions; for the perfecting whereof, I am content Commissioners meet concerning them, and such further Particulars as may be conceived conducible to the Welfare of the City and Counties adjacent, and have given Commission to these Gentlemen to receive your Answer in Writing to these Propositions of mine herewith sent, touching which I shall not be so scrupulous as to demand their Return, not valuing to what View they may be exposed, therefore they are to be left with you if you please, and remain

Chester-Suburbs, Jan. 26. 1645.

Your Servant,
William Brereton.

To this my Lord that Day return'd, that he could not at present give an Answer in regard of the several Conditions of Men therein concerned, who must be consulted; but the next Day sent his Answer thus:

SIR,

The Lord *Byron's* Answer.

SIR,

THESE Demands of mine which you term unparallel'd, have been heretofore granted (by far greater Commanders than yourself, no Disparagement to you) to Places in far worse Condition than (God be thanked) this is yet; Witness the *Basse*, *Breda*, *Maestricht*, and as many other Towns as have been Beleaguer'd either by the *Spaniard* or the *Hollander*, or to come Home, *York* and *Carlisle*, and nearest of all *Beeston*-Castle. And therefore you must excuse me if upon the Authority of so many Examples, I have not only propounded, but think fit to insist upon them as the Sense of all manner of People in the City. As for your Conceit in the demanding of myself, and the rest of the Commanders and Officers to be your Prisoners, I would have you know, that we esteem our Honours so far above our Lives, that no Extremity whatsoever can put so mean Thoughts into the meanest of us all. And that to submit to your Mercy, is by us reckon'd amongst those things that we intend never to make use of. I am nevertheless still content that the Commissioners whose Names I formerly tender'd unto you, meet with such as you shall appoint in any indifferent Place to Treat upon Honourable Conditions, and desire you to assure yourself that no other will be assented unto you by

Chester, Jan. 27. 1645. *Your Servant*, John Byron.

Brereton's Reply.

My Lord,

I Cannot believe that you conceive the War betwixt the *Hollander* and *Spaniard* is to be made a President for us: Neither can I believe that such Conditions as you demanded were granted to the *Basse*, *Breda*, or *Maestricht*; sure I am none such were given to *York*, *Carlisle*, or *Beeston*, tho' some of them were maintained by as great Commanders as yourself, and no Disparagement to you, I shall therefore offer to your Consideration the Examples of *Liverpool*, *Basing* and *Latham*, who by their Refusal of Honourable Terms when they were propounded, were not long after subjected to Captivity and the Sword; you may therefore do right to all those many Innocents under your Command, to tender their Safety and the Preservation of the City; For which End I have sent you fair and Honourable Conditions, such as are the sense of all the Officers and Soldiers with me, which being rejected you may expect worse from

Chester-Suburbs, 27. 1645. *Your Servant*, William Brereton.

After several such mutual Messages, Commissioners were at last apointed, and agreed upon Terms, and the City was delivered up *Febr.* 3. on the Articles following.

1. THAT the Lord *Byron*, and all Noblemen, Commanders, Officers, Gentlemen and Soldiers, and all other Persons whatsoever, now residing in the City of *Chester*, and the Castle and Fort thereof, shall have Liberty to march out of the said City, Castle and Fort, with all their Apparel whatsoever, and no other or more Goods, Horses or Arms, than are hereafter mentioned, *viz.* The Lord *Byron* with his Horse and Arms, and ten Men with their Horses and Arms to attend him: Also his Lady and Servants, two Coaches and four Horses in either of them, for the accommodating of them, and such other Ladies and Gentlewomen as the said Lord *Byron* shall think meet, with eighty of the said Lord's Books, and all his Deeds and Evidences, Manuscripts and Writings in his Possession; the said Lord, his Lady, nor any their Attendants, carrying amongst them all above Forty Pounds in Mony, and Twenty Pounds in Plate: The rest of the Noblemen with their Ladies and Servants, to march with their

Ann. 1645. Horses, each of the said Lords attended with four Men, their Horses and Arms; every such Nobleman carrying with him not above Thirty Pounds in Money: Every Knight and Colonel to march with two Men, their Horses and Arms; no such Knight or Colonel to carry with him above ten Pounds in Money: Every Lieutenant Colonel, Major and Captain of Horse, with one Man, their Horses and Arms; no such Lieutenant Colonel, Major and Captain, carrying with him above five Pounds in Money: Every Captain of Foot, Esquire, Graduate, Preaching Minister, Gentleman of Quality, the Advocate and Secretary to the Army, every of them with his own Horse and Sword (the Ministers without Swords) none of them carrying with him above fifty Shillings, and the Ministers to have all their own Manuscripts, Notes, and Evidences: Lieutenants, Cornets, Ensigns, and other Inferior Officers in Commission, on Foot with every Man his Sword, and not above Twenty Shillings in Money: All Troopers, Foot-Soldiers, Gun-powder Makers, Canoniers, and all other not before mentioned, to march without Horse, or Arms. And that none of the said Persons before mentioned, shall in their March, after they are out of the City and Liberties thereof, be Plundered, searched or molested.

2. That all Women of what degree soever, that please to march out of the City, shall have all their Apparel with them; and such Officers Wives, whose Husbands are Prisoners or absent, may carry such Sums of Money with them, as are allowed by these Articles to Commanders Officers, and Gentlemen of their Husbands qualities, and no more.

3. That none of the Commanders, Officers or Soldiers, or any other at or before their marching out of the City, Castle or Fort, do injure or Plunder the Person or Goods of any, nor carry any thing away out of the said City, Castle or Fort, but what is their own, and hereby allowed.

4. That all Citizens and others now residing within the City, shall be saved and secured in their Persons, and their Goods and Estates within the City and Liberties thereof, preserved and kept from the Plunder and Violence of the Soldiers, and have the like freedom of Trade, as other Cities and Towns under the Parliaments Protection have, and such Immunities as they of right ought to have. And that every such Merchant, and Tradesman of *Chester*, as shall desire to go into *North-Wales*, to look after his Goods, as shall have a Pass to go thither, and return back again; he first giving Security, that (during his Absence) he will do no Act to the Prejudice of the Parliament: And that no such Person shall at any Time without Licence carry more Moneys with him, than sufficient to defray the Charges of his Journey. And that all Citizens and other Inhabitants, who shall now or hereafter desire to March forth of the City of *Chester*, and not to Act any thing against the Parliament, his, or their Wives, or Families, to have the Benefit and Priviledge of Inhabitants.

5. That such Officers and Soldiers as shall be left Sick, or Wounded within the City of *Chester*, or the Castle, or Forts thereof, shall have Liberty to stay until their Recovery, and then have Passes to *Conway*, or any of the King's Garrisons not Blocked up: In the mean Time to be provided for.

6. That the said Lord *Byron*, Noblemen, Commanders, Gentlemen, Officers and Soldiers, and all others that shall March out of the Town, shall have Liberty to March to *Conway*, and five Days are allowed them to march thither with a Convoy of two hundred Horse; the *Welsh* Officers and Soldiers to have Liberty to go to their own homes, all of them to have free Quarter in their March, and twelve Carriages (if they shall have occasion to use so many) which Carriages are to be returned on the sixth Day, and that Passes be given them for their safe return to *Chester*, and that they be secured until they return thither.

7. That no Soldier in his March shall be inveigled or enticed from his Colours or Command, with any promise or inducement whatsoever.

8. That all such Persons, Citizens, or others, who have Families in *Chester*, and are now in Places remote thence, shall have the like Benefit of these Articles, as those who are now resident in the City.

9. That

9. That the Friends of the Earls of *Derby* and *Litchfield*, or of any of those whose dead Bodies are not yet Interred in *Chester*, shall have two Months time to fetch them thence, whither they please; provided, that none of them come attended with above twenty Horses.

10. That no Church within the City, or Evidences, or Writings, belonging to the same, shall be defaced.

11. That such *Irish* as were born of *Irish* Parents, and have taken Part with the Rebels in *Ireland*, and now in the City, shall be Prisoners.

12. That all those Horses and Arms belonging to those that March out, and not by these Articles allowed to be taken and carried out of the City (except such Horses as are the proper Goods of the Citizens and Inhabitants that shall remain in the City) before the Delivery of the same be brought, the Horses into the Castle-Court, and the Arms into the Shire-Hall, where Officers shall be appointed to receive them.

13. That in Consideration hereof the said City and Castle without any slighting or defacing thereof, with all the Ordinance, Arms, Ammunition, and all other Furniture and Provisions of War therein whatsoever, except what is allowed to be carried away, and all the Records in the Castle, without Diminution, Imbezelling or Defacing, be delivered to the said Sir *William Brereton*, or such as he shall appoint for the use of King and Parliament, upon *Tuesday* next, being the Third of this Instant *February* 1645, by ten of the Clock in the Forenoon.

14. That the Fort with all the Ordinance, Arms, Ammunition and Provision therein, of what sort soever, not formally granted or allowed of, upon the signing of these Articles be delivered to Sir *William Brereton*, or such as he shall appoint.

15. That upon Signing of these Articles, all Prisoners in the City, Castle, and Fort, that have been in Arms for the Parliament, or imprisoned for adhering thereunto, shall immediately be set at Liberty.

16. That the Convoy shall not receive any Injury in their going or coming back, and shall have three Days allowed for their Return.

17. That if any Person concerned in any of these Articles shall Violate any Part of them, such Person shall lose the Benefit of all the said Articles.

18. That upon the Signing of these Articles, sufficient Hostages, such as shall be approved of, be given for the Performance of the said Articles.

Signed by us the Commissioners appointed on the behalf of the Right Honourable the Lord *Byron*.

Edmund Verney, John Robinson, Thomas Cholmondeley, Peter Griffith, Henry Leigh, Thomas Throppe, Christopher Blease, William Ince, John Werden, John Johnson, Edward Moreton, Thomas Bridge.

What is done by the Commissioners is Confirmed by *John Byron*.

The Affairs of the City being settled, Col. *Jones* was there left Governour for the Parliament, and the Neighbouring Garrisons of *Holt*, *Hawarden* and *Ruthen*-Castle, were all straitly begirt, and not able to hold out long after.

But as this Year had generally been very fatal to his Majesty's Interests, so it concluded with such a *Sparring-Blow* as destroy'd almost all Hopes of Resource; and this was the Defeat of the Lord *Astley*, who had the only standing Force abroad for the King, and with them, amounting in all to about the Number of 3000, (the greater Part Horse) was advancing from *Worcester* towards *Oxford* to Joyn with his Majesty, and by that Conjunction would have furnish'd his Majesty with such a competent Force that he might have been able to have taken the Field this *Spring*, and by speedy Marches, and declining Engagements with the Enemy, might have

The Routing of the Lord *Astley* near *Stow*, *March* 22. 1645.

Ann. 1645. augmented his Number with fresh Recruits, or at least gained Time till the promised Supplies of Men from *Ireland*, and Money and Men from other Parts should arrive, to put his Affairs in a better Posture; so that on these Troops with my Lord *Astley* as the last Stake, they at *Oxford* built all their Hopes, and therefore the better to falicitate his Advance drew out from thence a Party of 1500 to meet him; but all Intelligence and the Passages were so intercepted by the Enemy, that these latter never could hear a word of my Lord's Motions till they receiv'd the sad Tidings how he was utterly Defeated, by Col. *Morgan*, Sir *William Brereton*, Col. *Birch*, &c. near *Stow* in *Glocestershire*; of which Col. *Morgan* who Commanded there in Chief for the Parliament, by Permission of Sir *W. Brereton* gave this following Account.

HAving received a Command from the Honourable Committee of both Kingdoms to take the Charge of a Brigade of Horse and Foot drawn out of the Garrisons of *Gloucester*, *Hereford*, and *Evishalm*, to prevent the Lord *Astley*'s Conjunction with the King's Forces at *Oxford*, and to effect that Design, I drew forth and Rendezvoused seasonably near *Evishalm* and *Warwick*, notwithstanding the Lord *Astley* endeavoured by all means to get by me, which much foiled my Brigade to prevent, in marching from Place to Place, to secure the Place upon the River *Avon*. Yet after some Considerations, I perceived that he was unwilling to pass over so long as I lay near the River. Resolved upon *Thursday* last to Quarter and Camp in the most convenient Place (wheresoever he made his Passage) to fall upon him, and that Night had Intelligence of his March from *Droit* with near 100 Horse towards *Bedford*, three Miles from *Evishalm*, whereof I presently advertized Col. *Whaley* and Col. *Fleetwood*, and sent Post to Sir *William Brereton* for the Assistance of his Horse, which was accordingly granted. But upon *Friday* the Lord *Astley* still continuing his March, and Sir *W. Brereton* not come up, was forced to hold him in Action for the space of four Hours, Skirmishing with by Parties, and keeping my Body drawn up in a most advantagious Place for Pursuit, in Case he should pass by me before Sir *Will. Brereton* came up, which about Nine a Clock that Night he did, whereupon I resolved to pursue, thinking it more Advantagious to fall upon his Rear, than at that Time to draw out to meet him in the Field, and in my Pursuit Sir *W. Brereton* came up with 800 Horse, (of whom I desired to receive Orders,) but he referred the whole Command of the Field unto me, then being Equal in Number to the Lord *Astley*'s Forces, consisting of 3000. I commanded 400 Horse, and 200 Firelocks to Charge his Rear-guard, to put him to a stand before he should pass through *Stow upon the Woold*, and as my Intelligence informed me, the King was to have joyned with him within seven Miles of that Place, where he made choice of his Ground, and had the wind with him, yet Trusting in God, I drew up and Charged him, whom half and Hour before Day on *Saturday* Morning I put to a Total Rout, killed many Gentlemen and Officers of Quality, took Prisoners the Lord *Astley* and all his Foot-Officers, whose Names are in the inclosed List, besides 1600 Common Soldiers, whereof many being Wounded, I gave Liberty to go to their own Homes, taking the Oath of the Fifth of *April*, the rest I have sent to *Gloucester*. There are also taken 2000 Arms, and all their Ammunition. Sir *W. Brereton* desired that the Lord *Astley* should be his Prisoner, which I willingly condescended unto, not doubting but he will give a good Account of him to the Parliament. This good Success (the Glory thereof I Desire may be given unto God) will prevent the King from Drawing an Army into the Field which he expected: I am now Marched towards *Worcester*, where I shall observe such Orders as I shall receive from the Parliament and the Committee of both Kingdoms.

Cambden, March 22. 1645.

Your Faithful Servant,
Tho. Morgan.

There

There were taken Prisoners the Lord *Astley*, Col. *Corbet*, Col. *Gerard*, Col. *Mouldsworth*, Lieut. Col. *Broughton*, Major *Billingsley*, Major *Harnedge*, Major *Saltonstone*, and many other Officers. Those that Escaped made towards *Farrington* and *Oxford*, of whom some were taken in the way by Col. *Fleetwood*. The Lord *Astley* was so sensible of the Consequences of this Defeat, that after he was taken Prisoner, he said to some of *Brereton*'s Officers, *You have now done your Work, and may go to play, unless you will fall out amongst yourselves.* This Action happen'd on the 22*d.* of *March*, and therefore therewith we must conclude the Military Part of this Year 1645.

Chap. V.

The most Remarkable Parliamentary and Civil Occurrences of the Year 1645.

Die Sabbathi, *April* 5. 1645.

An Ordinance of the Lords and Commons assembled in Parliament, for enabling the Commissioners of the Great Seal, and the other Committees in their several Counties, to tender an Oath to all such Persons of what Degree or Quality soever, that shall come in to the Protection of the Parliament.

Ordinance imposing an Oath on all that come into the Parliaments Protection, *Apr.* 5. 1645.

BE it Ordained by the Lords and Commons in Parliament assembled, That all and every Person of what Degree or Quality soever, that hath lived or shall live within the King's Quarters, or been aiding, assisting, or adhering unto the Forces raised against the Parliament, and hath or shall come to Inhabit or Reside under the Power and Protection of the Parliament, shall swear upon the Holy Evangelist in manner following.

The Oath

I A. B. do swear from my Heart that I will not directly nor indirectly adhere unto or willingly assist the King in this War, or in this Cause against the Parliament, nor any Forces raised without the Consent of the two Houses of Parliament in this Cause or War. And I do likewise Swear that my coming and submitting myself under the Power and Protection of the Parliament, is without any manner of Design whatsoever, to the Prejudice of the Proceedings of the two Houses of this present Parliament, and without the Direction, Privity or Advice of the King, or any of his Counsel or Officers, other than what I have now made known. So help me God, and the Contents of this Book.

And be it further Ordained by the Authority aforesaid, That the Commissioners for keeping of the Great Seal of *England* for the Time being, shall have Power, and are hereby Authorized to tender and administer the said Oath unto any Peer, or Wife or Widow of any Peer, so coming to Inhabit as abovesaid.

And it shall be Lawful to and for the Committee of the House of Commons for Examinations, the Committee for the Militia in *London*, and all Committees of Parliament in the several Counties and Cities of the Kingdom, to tender and administer the said Oath unto every other Person so coming to Inhabit as abovesaid. And if any Person (not being a Member of, or Assistant unto either of the Houses of the Parliament) shall refuse or neglect to take the said Oath so duly tendered unto him or her as abovesaid, the said Commissioners and Committees respectively shall and may commit the same Person to some Prison, there to remain without Bail or Mainprize, until he shall conform thereunto.

Die Jovis 11. April. 1645.

An Ordinance of the Lords and Commons assembled in Parliament for exempting the University of Cambridge *from Taxations.*

Ordinance exempting the University of *Cambridge* from Taxes, *Apr.* 11 1645.

WHereas humble Representation hath been made to the Lords and Commons assembled in Parliament on the behalf of the University of *Cambridge*, that the said University, and the several Colleges therein are brought to such Necessity, by Reason of the failing of their

Ann. 1645. Rents (a great Part whereof cannot be receiv'd in these Times of Troubles and Distractions) as they shall be altogether unable to support any longer the Students of the said Societies, unless they may be freed and exempted (according to their Charter, and the Indulgence of former Parliaments) from all Military Taxes, and other Contributions to the Publick Service; which are imposed by Ordinance of Parliament.

The said Lords and Commons taking the Premisses into Consideration, and to the End they may give as much Ease and Relief as the Times will bear to these Eminent Schools and Seminaries of Learning for their better Encouragement to continue their Studies with Diligence for the Publick Benefit both of Church and Commonwealth, think fit and Ordain, and be it Ordained, That nothing contained in any Ordinance or Ordinances of Parliament for and concerning the Imposing, Levying or Paying of any Assessments, Taxes and Charges whatsoever, as well already made and charged, as hereafter to be made and charged, by Virtue of any of the said Ordinances, shall be extended to Charge the said University of *Cambridge*, or any of the Colleges and Halls within the said University, nor any of the Rents and Revenues belonging to the said University or Colleges, or any of them, nor to charge any Master, Fellow or Scholar of any the said Colleges, nor any Reader, Officer or Minister of the said University or Colleges, or any of them, for and in Regard of any Stipend, Wages or Profit whatsoever arising and growing due to them, or any of them, in respect of their said several Places and Employments in the said University, any Thing in the said Ordinances, or any of them to the contrary in any wise notwithstanding,

And all Assessors, Collectors, and others whom this may concern, are hereby required to take Notice of this Ordinance.

Provided that the Tenants who enjoy Leases from the said University, and Colleges respectively do claim no freedom, exception, or advantage by this Ordinance.

Die Jovis April. 11. 1645.

An Ordinance of the Lords and Commons assembled in Parliament, for regulating the University of Cambridge, *and for removing Scandalous Ministers in the Seven Associated Counties.*

Ordinance for Regulating the University of *Cambridge*, *Apr.* 11. 1645.

WHereas many Complaints are made by the well affected Inhabitants of the Associated Counties of *Essex*, *Norfolk*, *Suffolk*, *Hertfort*, *Cambridge*, *Huntington*, and *Lincoln*, that the Service of the Parliament is retarded, the Enemy strengthened, the Peoples Souls starved, and their Minds diverted from any care of God's Cause, by their Idle ill Affected and Scandalous Clergy of the University of *Cambridge*, and the Associated Counties; and that many that would give Evidence against such Scandalous Ministers are not able to Travel to *London*, nor bear the Charges of such a Journey: It is Ordained by the Lords and Commons assembled in Parliament, that the Earl of *Manchester* shall appoint one or more Committees in every County, consisting of such as have been Nominated Deputy Lieutenants or Committees, by any former Ordinance of Parliament, in any of the said Associated Counties, every Committee to consist of Ten, whereof any Five or more of them to Sit in any Place or Places within any the said Associated Counties where the said Earl shall appoint, with Power to put in Execution these Instructions following, and in pursuance thereof to give Assistance to the said Committees.

First, They shall have Power to call before them all Provosts, Masters and Fellows of Colleges, all Students and Members of the University, and all Ministers in any County of the Association, and all School-Masters that are Scandalous in their Lives, or ill-affected to the Parliament, or Fomenters of this Unnatural War, or that shall wilfully refuse Obedience to the Ordinances of the Parliament, or that have Deserted their ordinary Places of Residence, not being Imployed in the Service of the King and Parliament. And they shall have Power to send for any Witnesses, and examine any Complaint or Testimony against them. Upon Oaths of such Persons as shall and may be produced to give Evidence against

against them, and shall certifie their Names with the Charge and Proofs gainst them, to the said Earl of *Manchester*, and he shall have power to eject such as he shall judge unfit for their Places, and to Sequester their Estates, Means, and Revenues, and to dispose of them as he shall think fitting, and to place other fitting Persons in their room, such as shall be approved of by the Assembly of Divines Sitting at *Westminster*.

The Earl of *Manchester*, or the said Committee or Committees shall have Power to Administer the late Covenant taken, and to be taken of all the Three Kingdoms of *England*, *Scotland* and *Ireland*, to all Persons in any of the said Associated Counties, and the Isle of *Ely*, upon such Penalties, as are or shall be assigned by the Parliament in this behalf.

And be it Ordained, That the said Earl of *Manchester*, shall have Power to dispose of a fifth Part of all such Estates as they shall Sequester, for the Benefit of the Wives and Children of any of the aforesaid Persons.

The said Committee or Committees shall imploy a Clerk for the Registring of all Warrants, Orders, Summons and Ejectments made by them; and that they chuse some convenient Place for the Preserving of the Writings of this Committee.

That the said Earl of *Manchester* shall have Power to examine and inhibit, all such as do Obstruct the Reformation now endeavoured by the Parliament and Assembly of Divines.

And be it further Ordained, That all such as shall do any Thing in execution of this Ordinance shall be kept Indemnifyed by the Authority and Power of both Houses of Parliament.

And further be in Declared, That the Earl of *Manchester* shall have Power to appoint a convenient Number, consisting of one or more out of every County, one out of the City of *Norwich*, and one out of the County and City of *Lincoln*; Provided that Three of these be Deputy-Lieutenants to Sit at *Cambridge* for the better Ordering of all Businesses of the Association, according to Ordinances and Orders of Parliament, and according to his Commission granted by his Excellency the Earl of *Essex*; and that the present Committee for the Association Sitting at *Cambridge*, shall cease when the Earl of *Manchester* shall have appointed another under his Hand and Seal.

April 15. A Committee of Lords and Commons was this Day Nominated for the Management of the Admiralty, *viz.*

Of the House of Peers,	Of the House of Commons,
Earl of *Essex*.	Sir *Walter Earl*, Sir *Philip Stapleton*, Sir *John Evelyn*, Jun. Sir *Chr. Wray*, Mr. *Role*, Mr. *Green*, Mr. *Hollis*, Mr. *Selden*, Mr. *Bence*, Doctor *Eden*, Mr. *Lisle*, Mr. *Whitlock*.
Earl of *Warwick*.	
Earl of *Northumberland*.	
Earl of *Pembroke*.	
Lord *Say*.	
Lord *North*.	

But afterwards *Apr*. 28. upon further Debate and Consideration, the management thereof was Committed only to the Earl of *Warwick* of the House of Peers, and Mr. *Bence*, and Mr. *Peregrine Pelham* of the Commons House.

Die Sabbathi, April. 26. 1645.

Ordinance that none shall Preach but such as are Ordained, *Apr*. 26. 1645.

IT is this Day Ordained and Declared by the Lords and Commons in Parliament assembled, that no Person be permitted to Preach who is not Ordained a Minister either in this or some other Reformed Church, except such (as intending the Ministry) shall be allowed for the Trial of their Gifts by those who shall be appointed thereunto by both Houses of Parliament.

It is this Day Ordered by the Lords and Commons in Parliament assembled, that this Ordinance be forthwith Printed and Published, and that

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that it be forthwith ſent to Sir *Thomas Fairfax*, with an earneſt Deſire and Recommendation from both Houſes, that he take Care that this Ordinance may be duly obſerved in the Army, and that if any ſhall Tranſgreſs this Ordinance, that he make ſpeedy Repreſentation thereof to both Houſes,that the Offenders may receive condign Puniſhment for their Contempts. It is further Ordered by the Lords and Commons, that this Ordinance be forthwith ſent to the Lord Mayor and Committee of the Militia in *London*, to the Governours, Commanders and Magiſtrates of all Garriſons, Forces, Places of Strength, Cities, Towns, Forts and Ports: And to the ſeveral and reſpective Counties, with the like Injunction unto them reſpectively, that they take Care that this Ordinance be duly obſerved in the Places aforeſaid reſpectively, and that they make ſpeedy Repreſentation to both Houſes of ſuch as ſhall Offend herein, that they may receive condign Puniſhment.

May 31. 1645.

A Liſt of ſuch of the Navy Royal, as alſo of the Merchants Ships as are ſet forth to Sea for this Summers Expedition 1645, *in the Service of the King and Parliament. Together with their Names, Captains, Burdens, Number of Men and Ordinance in every Ship.*

His Majeſty's Ships.

Ships Names.	Commanders.	Tuns.	Men.	Ord.
1 James, *Admiral.*	*Rich. Blythe.*	875	280	50
2 Andrew, *Vice-Adm.*	*Will. Batten.*	650	260	36
3 Garland, *Rere-Adm.*	*Rich. Owen.*	575	170	40
4 Lyon.	*Rich. Swanley.*	600	170	40
5 Bonaventure.	*Hen. Bethel.*	557	170	38
6 Leopard.	*John Bowen.*	520	160	38
7 Antelope.	*Edw. Hall.*	512	160	36
8 Entrance.	*Will. Smith.*	539	160	38
9 Swallow.	*Will. Somaſter.*	500	150	36
10 John.	*Robert Zachary.*	400	110	28
11 Fellowſhip.	*Will. Pen.*	300	110	28
12 Globe.	*Rich. Willoughby.*	300	100	24
13 Sampſon.	*Rich. Whitty.*	300	70	20
14 Expedition.	*Joſeph Jourdain.*	160	100	18
15 Mary-Roſe.	*Phines Pet.*	321	100	28
16 Providence.	*John Stansby.*	260	100	18
17 Hector.	*Edw. Elliot.*	300	70	20
18 Eighth Whelp.	*John Kearſe.*	200	60	16
19 Warwick Frigate.	*Will. Thomas.*	200	80	22
20 Cygnett.	*John Man.*	160	70	18
21 Creſcent.	*John Edwin.*	140	50	14
22 Star.	*Robert Conſtable.*	130	60	16
23 Hind.	*Thomas Pilgrim.*	140	70	13
24 Greyhound.	*John Coppin.*	120	50	12
25 Lilly.	*John Lambert.*	80	45	8
26 Nichodemus.	*Thomas Pacy.*	80	45	8
27 Duncanon Frigate.	*Sam. Howell.*		50	10
28 Welcomb. Pink.	*John Green.*		45	8
29 Charles Frigate.	*Robert Clark.*	50	26	6
30 Dainty Pink.			25	4
31 Dove.	*William Hazard.*		25	6
32 Robert.	*William Rew.*		40	8

Merchants Ships.

Ships Names.	Commanders.	Tuns.	Men.	Ord.
1 May-Flower.	*Roger Philips.*	405	121	29
2 Conſt. Warwick.	*John Gilſon.*	300	120	26
3 Anne *and* Joyce.	*Thomas Jones.*	300	90	22
4 True-Love.	*Gerv. Coachman.*	259	75	20

5 Rebecca

5 Rebecca.	*Stephen Rich.*	250	75	20
6 Geo. Bonaventure.	*John Crampe.*	243	73	20
7 Nicholas.	*Rich. Bray.*		57	20
8 Anne Piercy.	*Thomas Smith.*		75	20
9 Lucy.	*Elias Drew.*	160	64	14
10 Providence.	*Roger Martin.*	180	54	16
11 Joceline.	*Robert Clark.*	196	59	12
12 Magdalen.	*John Hester.*	185	56	16
13 Covenant.	*John Lawson.*	140	45	12
14 Mary *and* Anne.	*Peter Wappel.*	150	20	12
15 Spy-Frigate.	*Andrew Davis.*	40	20	6
16 Green Frigate.	*Tho. Farmer.*	30	12	6
17 Sea-Flower.			40	4
18 Defyance.	*William Brooks.*			16
19 Roe-Buck.	*William Liston.*	80	50	10

Junii 26. 1645. *An Additional Ordinance for the better taking and Expediting the Accompts of the whole Kingdom.*

FOR the better taking the Accompts of the whole Kingdom, and the more speedy levying of such Sums of Money as are or shall be due unto the Commonwealth upon such Accompts as are, or shall be determined.

It is Ordered and Ordained by the Lords and Commons in Parliament assembled, That the Committee for taking the Accompts of the whole Kingdom, and the several Sub-committees of Accompts within their respective Limits, shall have full Power and Authority, and are hereby Authorized to issue forth Warrants to the High Constables, Petty Constables, and Head-Boroughs of every Hundred, Lath, Rape, Wapentake, Ward, and to the Church-Wardens of every Parish, or any of them, or to any other Person or Persons (under the Degree of a Peer of this Realm, nor to any Member of the House of Commons) within the Limits aforesaid, whom they shall think meet, thereby requiring the Persons to whom the said Warrant shall be directed to make strict and diligent Enquiry in every Parish of this Kingdom within their several Precincts, what Sum or Sums of Money, Plate, Horse, Arms, Ammunition, Houshold-stuff, Goods of all sorts, Rents and Profits of Lands, Wood, Provisions of all kind, and Free Quarter have been received, taken, collected, raised, seized or sequestred within the said Hundred, Lath, Rape, Wapentake, Ward and Parish, by way of Voluntary Contribution, Tax, or otherwise; and by whom the same hath been received, taken, collected, raised, seized, sequestred, and to whom Paid and Delivered. And the said Persons unto whom the said Warrants shall be Directed, shall give Notice thereof in writing, and leave, or cause the same to be left at every House within every respective Parish, to inform them of all such Sum or Sums of Money, Plate, Horse, Arms, Ammunition, Houshold-stuff, Goods, Rents and Profits of Lands, Wood, Provisions of all sorts, and Free Quarter that have been received, taken, collected, raised, seized or sequestred by any Person or Persons, and by whom paid, given or contributed to any Person or Persons whatsoever, for the use of the Commonwealth by way of Assessment, or otherwise, within fifty days after Personal notice left or given under pain that every Person or Persons, who shall willfully or negligently fail to give in such Information within the time aforesaid, without rendring a just and reasonable Cause of his or their failer herein, shall from thenceforth be disabled to demand the benefit of the publick Faith for all such Moneys, Plate, Horse, Arms, Ammunition, Provisions, Contributions, Free Quarter, as he or they shall omit to inform of, and after such Information taken by the Persons to whom the said Warrant shall be directed, the same shall be returned in Writing to the said Committee for taking the Accompts of the whole Kingdom, or unto the Sub-committee of Accompts respectively for the better enabling them to charge the said Accomptants. And whereas several Sequestrations have been unwarrantably, fraudulently and deceitfully discharged, or let or sold at under-values by the several Committees or Officers for Sequestrations in the several Counties, Cities, and other Places of this Kingdom,

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Be it Ordained, That the Committee for the taking of the Accompts of the whole Kingdom, and the several Sub-committees for the said Accompts respectively, shall have Power, and are hereby Authorized to inquire thereof by Oath, and if they shall find the same to be unwarrantably, fraudulently and deceitfully discharged, under-sold, or under-let, they shall further enquire by what Ways and Means, and by whom the said discharge, under-sale, or under-letting was procured, and such Person or Persons as shall be found faulty in the Premisses, shall make such satisfaction to the Commonwealth, proportionable to their Offence, as the Committee of Accompts for the Kingdom, or any five of them, shall judge and determine, so as the said Persons be not Peers of this Realm, or Members of the House of Commons.

And be it further Ordained, That the said Committee for taking of the Accompts of the whole Kingdom, and the Sub-committees for the said Accompts respectively, shall have Authority, and they are hereby Authorized to enquire of all Persons whatsoever, that have or shall any way conceal and detain the Estates, Goods and Chattels of any Person or Persons Sequestred, or Sequestrable, and shall charge them for the same as Accomptants to all intents and purposes, so as the said Persons be not Peers of this Realm, or Members of the H. of Commons.

And whereas several Accomptants to whom there is no Allowance given by Act, Ordinance or Order of one or both Houses of Parliament, demand upon their Accompts several Allowances: Be it Ordained, That the said Committee for taking the Accompts of the whole Kingdom shall have Power and Authority, and they or any Five of them are hereby authorized to make such reasonable Allowances unto the said Accomptants, for their Charges and Pains as they shall think meet, the said Allowances not exceeding a Penny in the Pound, for every Pound received by such Accomptant.

And be it further Ordered and Ordained, That every Person or Persons found in Arrear upon any Accompt to be Determined by the said Committee, or any Five or more of them, shall immediately upon Determination of the said Accompt and Signification or Notice thereof given to the several Person and Persons aforesaid, or left in Writing, at his or their House, or usual Place of Abode by the said Committee, or any Five or more of them, pay in, or cause to be paid unto the Chamberlain of the City of *London* for the Time being, or unto such particular Treasurers, as by any former Act or Ordinance are appointed to receive the same, and in Case no Treasurers are already appointed, then unto such Treasurer as shall by Virtue of this Ordinance be made in every County of this Kingdom, all such Sum and Sums of Money as shall be found and certified to be Arrear, and by him, or them due and owing upon their said Accompts, or otherwise give such sufficient Security for the Payment thereof, in Manner and Form aforesaid, within the space of forty Days after the said Certificate, as by the said Committee for taking the Accompts of the whole Kingdom, or any Five or more of them shall be approved of; and for Default thereof, the said Person or Persons neglecting or refusing to pay; or secure the said Sums or Arrears as aforesaid (not being a Peer or Assistant, or Officer of the House of Peers, or Member or Officer of the House of Commons) shall be committed by the said Committee, or any five or more of them, unto such Prison as they shall think fit, there to remain without Bail or Mainprize, until he or they shall pay in the several Sums of Money, or give such Security for Payment thereof as aforesaid. And if any such Person or Persons be Peers or Assistants, or Officers of either House of Parliament, then their Names to be certified to such House as they shall belong to respectively, that such further Course may be taken therein as shall seem meet.

And be it further Ordained, That if it shall appear to the said Committee, or said Sub-committees by the Acknowledgment of the Accomptant, or otherwise, that there remains any Sum of Money or Goods in the Hands or Possession of any Accomptant (not being a Peer or Assistant or Officer of the House of Peers, or Member or Officer of the House of Commons) or any other Person or Persons to his Use, that the said Committee, or any five, or more of them, or any of the said Sub-committee, or any five or more of them, shall before the said Accompt determined, have hereby power to order the Payment of the same Moneys, and to make Sale of all such Goods

to the Use and Benefit of the Commonwealth within such Time as shall be by them limitted, or in Default thereof, to proceed against the said Accomptants as in the precedent Clause is directed against such Persons whose Accompts are determined. 22 *Caroli.*

And be it further Ordained, That if it shall appear by Proof of the said Committee of Accompts, or any Sub-committee of Accompts, that any Person or Persons who is accomptable by Virtue of the Ordinances for taking of the Accompts of the whole Kingdom, or any of them, shall go about or endeavour to depart the Kingdom, or convey away, hide, or obscure his or their Estates, to prevent the Payment of what shall be found justly due, from him or them unto the Commonwealth, that then the said Committee of Accompts, or Sub-committee in every County, or any Five or more of them respectively, shall and may by Warrant under their Hands to be made to such Person or Persons as they shall think fit, cause the Person and Estate of such Person or Persons (not being Peer or Assistant or Officer of the House of Peers, or Member or Officer of the House of Commons) to be seized and secured, until such Time as he, or they shall put in good and sufficient Security to be taken by the said Committee, or Sub-committee, or any five or more of them respectively, that he or they shall and will truly pay and satisfie all such Sum or Sums of Money as shall be found due from him or them, unto the Commonwealth upon the determining of his or their Accompts. And be it further Ordained, That if any Person or Persons (not being a Peer, or Assistant, or Officer of the House of Peers, or Member, or Officer of the House of Commons) shall be found Indebted and Arrear upon the Foot of his or their Accompts, and shall be imprisoned, or otherwise absent himself from the Place of his usual Abode or Dwelling, by the space of one Month after Notice of his or their Arrear given according to this Ordinance, that then the Committee for taking the Accompts of the Kingdom, or Sub-committees respectively, shall or may send for any Person or Persons in whose Hands, Power or Knowledge the Estate Real or Personal of such Person so found in Arrear shall be, and Examine the said Person or Persons upon Oath (which by Virtue of the said Ordinances, the said Committee or Sub-committee respectively shall have Power to administer) for the Discovery of the Estate, Real or Personal, of such Person or Persons so indebted; and having discovered the same, that said Committee of Accompts, or any five or more of them, shall have Power to nominate some fit Persons who shall hereby have Power, and are authorized to seize and make Sale of the Estate Real and Personal, Rights and Credits of such Person so found in Arrear, in as ample manner as is usual in the Case of Bankrupts, the said Sale to be by Deed Inrolled in the Court of *Chancery*, and to be good and effectual in Law, to all intents and purposes against the said Party so found in Arrear, and all claiming by, from and under him, without good and valuable Consideration, and to cause such Money so raised to be paid to the respective Treasurers in this Ordinance named.

And be it further Ordained, That the Sub-committee of every County of this Kingdom, or the major Part of them, shall from Time to Time have Power and Authority to name one fit and able Person in every County to be Treasurer of that County, and the said Person so named being approved of, and allowed by the Committee for taking the Accompts of the whole Kingdom shall receive the several Sums of Money that shall be found Arrear from any Person or Persons within the said County, and shall disburse the same, as the same is or shall be ordered by the Houses of Parliament; and the said Treasurer shall exhibit upon his Oath unto the said Sub-committee a Bill of such necessary Charges as he shall be at the receiving, paying, carrying of the Money received by him according to direction of such Order or Orders; which Charges so by him disbursed he shall and may lawfully retain upon his Allowance of the said Bill.

And be it further Ordered and Ordained by the Authority aforesaid, That if any Person or Persons shall find him or themselves agrieved with the Determination of any such Accompt as aforesaid, then every such Person or Persons so agrieved after he or they have deposited, or sufficiently secured, in such sort as the Court of *Chancery* shall think fit, such Sum and Sums of Money as are found in Arrear, and by him or them due and owing, upon his or their said Accompt; unto the Chamberlain of the City of *London* for the Time being, shall and may within thirty Days after such Accompt shall be determined, and Notice thereof to him, or them given or left, and such Payment or securing of the said Money aforesaid exhibit his or their Appeal into the Court of *Chancery* for redress therein, and that upon the said Appeal the Court of *Chancery* may by such Ways and Means, as to the Lord Keeper, or Commissioners of the Great Seal for the Time being, shall seem meet (the Circumstances of the Case considered) within six Months after the Delivery of the said Appeal, in a Summary way, without formality of Proceedings, proceed to the Examination, hearing and determining thereof, shall and may add or diminish, alter or enlarge, the said Determining of the said Accompt, as to them shall be thought to stand with Equity and good Conscience, and shall and may Tax and Award such Person and Persons as they shall find, to complain or appeal without any just or reasonable Cause to such Costs and Sums of Money, as they in their Discretions shall think fit, to the Use of the Com-

Anno. 1645. Commonwealth, unto the Chamberlain of the City of *London* aforesaid, and for Neglect or Refusal thereof, to commit the said Person or Persons to Prison, until they shall pay the same; and that the said Sums of Money so paid unto the Chamberlain of the City of *London* upon the said Appeal, shall not be disposed of until the said Appeal be determined, and so much shall be adjudged against the Appellant, to be paid unto such particular Treasurers as are appointed to receive the same as aforesaid, or to be disposed as by Order of the said Houses of Parliament, shall be appointed and directed: And the Party that shall prosecute the Suit for the Commonwealth, shall have full Costs allowed unto him, in Case he that shall Appeal shall not prevail upon his Appeal.

And further it is hereby Ordered and Ordained by the said Lords and Commons, that all Persons employed, or to be employed in taking of the said Accompts by Virtue of the aforesaid Ordinances, their and every of their Officers and necessary Attendants, and their and every of their Horses shall be free from Pressing, and shall not be seized, or taken by Virtue of any Order or Ordinance for the Service of the State, so long as they or any of them are employed in or about the taking of the said Accompts.

And be it further Ordained, that the Officers and other Persons employed by the several Sub-committees in each County and City, shall have such reasonable and fitting Allowances as shall be thought fit by the said Sub committees, the major Part of them, and shall be approv'd of by the Committee for taking the Accompts of the whole Kingdom, or any five of them.

And be it further Ordained, That if any Person or Persons (not being a Peer of this Realm, Assistant or Officer of the House of Peers, or Member or Officer of the House of Commons) that shall be Summoned to appear before the Committee for taking the Accompts of the whole Kingdom, or the Sub-committees respectively, shall wilfully Neglect or Refuse to appear before the said Committee or Sub-committee, and shall afterwards for such his neglect or refusal, be sent for and attached by their Messenger or Messengers, that in such Case it shall and may be lawful for the said Messenger so attaching the said Person or Persons, to take of every such Person the Sum of Two pence for every Mile he shall go or ride for the said Person or Persons so offending, and Twelve pence for the Attachment of the said Person offending.

And be it further Ordained, That it shall and may be lawful for the Register, Accomptant or Clerk to the said Committee for the taking of the Accompts of the whole Kingdom, and their Sub-committees respectively, to take from every Person that shall be found in Arrear, Three pence for every Sheet that shall be written of every Examination or Accompt, and Twelve pence for every Order which the said Person so found in Arrear shall desire to have written or Copied out for his Benefit.

And be it further Ordained, That the said Committee for the taking of the Accompts of the whole Kingdom, and the Sub-committees respectively, or any two of them, shall have power and authority to administer to every Register, Accomptant, Messenger, or other Officer or Person imployed, an Oath for their and every of their faithful Demeanour, the Tenor whereof followeth.

I A. B. *do Swear, That according to my best skill and judgment, I shall faithfully, diligently, and truly demean myself in the Office of* *or other Employment wherein I shall be imployed by the Committee for the taking of the Accompts of the whole Kingdom, or by any Sub-committee for taking the said Accompts.*

And it is further Ordained, That the Sub-committee of Accompts of each respective County and City, or any Five or more of them shall have full power and authority to send into any other County or City, and to cause all Persons accomptable for any Moneys or Goods received or taken in the County of which they are Sub-committees (not being a Peer, Assistant or Officer of the House of Peers, or Member or Officer of the House of Commons) to appear before them for the Examination of their former Accompts, according to this and the several Ordinances, unless the Committee for taking the Accompts of the whole Kingdom shall give Order to the contrary.

And be it further Ordained, That if any Person or Persons named, or to be named of any Sub committee of Accompts, according to the said several Ordinances of Accompts, or which shall be named Treasurers according to this Ordinance, shall refuse to take upon them the said respective Employments, or to take the National Covenant, upon Certificate of the several Names to the House of Commons, by the Committee for taking the Accompts of the whole Kingdom, they shall receive such punishment as the High Court of Parliament shall think fit.

Much

Much about the beginning of this Year 1645, the Lord *Savile*, lately created Earl of *Sussex*, upon some Disgust taken at Court, left *Oxford*, and attended with some Gentlemen, came publickly in the Day-time into *London*; but being mistrusted by the Two Houses, an Order pass'd on the 31*st* of *March*, That in a Week's time he should depart the City, and all the Parliaments Quarters. But he still being willing to continue in the City, did on the 22*d* of *April* take the Oath appointed by the Parliament by such as came in unto them, before the Commissioners of the Great Seal: And afterwards was complained of by Mr. *Hollis* touching a Letter pretended to be sent from *Oxford* to *Hollis*: On which the said Lord *Savile*, for Contempt in refusing to tell from whom he had that Letter, was committed to the *Tower*. And on the 2*d* of *July* following, Mr. *Gourden*, a Member of the House of Commons, presented a Letter from the said Lord to that House, with a Paper therein inclosed, desiring the same might be read, which after some Debate, being admitted; the Substance of the Letter was to signify his Affections to the Parliament, to whom he had come from the King, and submitted himself, and taken the Oath enjoined: In observance whereof, and of his Duty to the Parliament, under whose Protection he was, he held himself obliged to discover to them what he knew concerning Two of their Members, who had acted contrary to their Trust, and to the Prejudice of the Parliament, in the Matters in that Paper contained: Which Paper set forth, That *Mr.* Hollis *and Mr.* Whitlock *being Persons well affected to the King and his Cause, were nevertheless Two of the Parliaments Commissioners lately sent to* Oxford *to his Majesty, with Propositions for Peace: And did there, contrary to their Trust, and to the Parliament's prejudice, treat and advise with the King, and some great Lords about him, namely, the Earl of* Lindsey, *the Earl of* Southampton, *and others, about the King's Answer to those Propositions; and did give a Paper in writing, wherein they advised what the King's Answer should be: Which Advice of theirs was followed by the King, and some of the very Words thereof made use of in his Majesty's Answer. And that both before and after that time, they held Intelligence and Correspondence with the King and the Royal Party at* Oxford, *&c.* Whereupon several moved, That *Hollis* and *Whitlock* might make a present Answer to this Charge: And *Hollis* in his Place made his Answer to the Matter of the Paper, denying any such Intelligence or Correspondence: And *Whitlock* being that Morning out of Town, Mr. *John L'Isle* acquainted the House, That Mr. *Whitlock* being then absent, if they pleased, he would undertake to give him Notice to attend the next Day; which was ordered; and *Whitlock* then attending accordingly, the said Letter and Paper were again read; whereunto he in his Place spake by way of Answer as followeth:

20 *Caroli.*

The Lord *Savile* accuses Mr. *Hollis* and Mr. *Whitlock*, *July* 2.

Mr. Speaker,

I Am happy, since I must be under an Accusation (which is no mean thing) in this Honourable House, that this Gentleman, my Lord *Savile*, is my Accuser; and more happy, that You, to whom I have been so long a Servant, and who know my Ways so well, are to be my Judges. I shall say nothing concerning my Lord *Savile*, because he is my Accuser; but to the Parts of his Accusation I shall give you a short and true Answer, with all Ingenuity and Submission to your great Judgment.

Whitlock's Speech, in answer to the Lord *Savile*'s Paper, *July* 3

His first Part of the Accusation is, That *I was a Person well-affected to the King*: But he gives no Instances thereof; nor is it a Crime to be well-affected to my Sovereign; we have all expressed the same in our Covenant. I could give some Instances to the contrary Effect; as the Plunder of my

Ann. 1645. Goods, seizing the Profits of my Lands, indicting my Person of High Treason for serving you, and giving away my Inheritance to Sir *Charles Blunt* a Papist; which are no great Motives to an extraordinary Affection, more than a Subject is obliged towards his Prince. But if my Lord *Savile* means by well-affected to the King, my being well affected to Peace; I confess I am a passionate Lover of a good Peace, and Seeker of it, and thereby have testified my Affection both to King and Parliament; and the longer our Troubles continue, the more we shall all be of this Opinion and Affection. *Sir*, I hope I may be thought capable to know my Duty to my King, and to understand what Protection I was to have from him; the mutual Relations of both; and further I hold myself disoblig'd.

The Second Accusation is, That *I met at the Earl of* Lindsey's *Lodgings in* Oxford, *to Advise about the King's Answer to your Propositions; and that I there did give Advice to the King, contrary to the Trust reposed in me by you.* To this I answer, That when your Commissioners came to *Oxford*, we consulted together what (amongst other things) was fit for us to do in point of Civilities and Visits whilst we were there; and it was agreed by us all, That we should not visit any that were excepted in your Propositions; but that we might visit others who did visit or send Visits to us. The Earl of *Lindsey* sent to visit Mr. *Hollis* and Me with a Compliment. That he was not well, else he would have come to visit us at our Lodgings. And I having a particular Relation and Alliance to him, we went together to return a Visit to his Lordship, and told our Fellow-Commissioners of our Intentions, before we gave the Visit, and they approved of it. When we came to the Earl's Lodging, we found there the Earl of *Southampton*, the Lord *Savile*, and some others; but it was so far from an appointed Meeting, that I knew not of their being there, till I saw them in the Chamber. There was much Discourse amongst us about your Propositions, and they urged the Unreasonableness of them: We affirmed the contrary, and vindicated your Honour in them. There was also Discourse concerning the *Scots* Commissioners, whom they affirmed to be averse to Peace; we assured them that they were not, but willing to have a good Peace. There was likewise upon this Occasion, Discourse of the Presbytery, and of the Point of *Jure Divino*: We told them that the *Scots* were off from the rigid Presbytery, and did not insist upon the Point of *Jure Divino*. They were then likewise discoursing of Tumults, and of Persons and Petitions brought to *Westminster* in a violent and disorderly manner. We did not speak of any violent Independent Party; nor any the Words mention'd in my Lord's *Savile*'s Paper; nor that the Propositions were unreasonable: They indeed pressed much upon that Argument, That they were unreasonable; particularly the Propositions concerning Religion and the Militia: We told them, that unless the King would grant those Propositions, it would be in vain to Treat of any Peace. There was also much Discourse about the acknowledging You to be a Parliament: The Earl of *Lindsey* said, That the King had acknowledged you a Parliament, by the Words, *Lords and Commons of Parliament*. We answered, That this was the same Stile his Majesty gave to the Assembly at *Oxford*, and we could not be satisfied with that Acknowledgment. Then the Earl of *Linsey* demanded of us, How we would be Acknowledged? We told him, thus; *The Lords and Commons Assembled in the Parliament of* England *at* Westminster.

After this we returned to our Lodgings, and acquainted our Fellow-Commissioners with the Persons that were at the Earl of *Lindsey*'s Chamber when we were there, and with the Matter of our Discourse with them. In all our Discourses, Mr. *Hollis* and myself did justify your Propositions, and vindicate your Proceedings. *Mr. Speaker*, It is no small Trouble to my Thoughts, to have my Name questioned in this House; but I am comforted in my own Integrity and Innocency, and in my Accuser, but chiefly in my Judges.

Whitlock having ended, the House fell into Debate, Whether this Paper from the Lord *Savile* were an *Accusation* or *Charge* against them: For several Gentlemen argued, That it was against the Privilege of the House to take it for an *Accusation*, being from *an Enemy come from the King's*

King's Quarters, and one in Contempt to both Houses of Parliament, for refusing to Name the Person from whom he received a certain Letter concerning Mr. *Hollis*; and therefore Committed close Prisoner. For he had not discovered this for several Months time, during which he had been in the Parliaments Quarters; but after he had been complained of by Mr. *Hollis* about a Letter, and Mr. *Whitlock* was in the Chair of the Committee appointed to examine that Business, then the Lord *Savile* brought in a new Accusation both against *Hollis* and *Whitlock* the Chairman, to take off his Testimony for Mr. *Hollis*. Others moved, that this Business might be committed, to see if the Lord *Savile* would avow his Letter and Paper, and by what Testimony he could make it good; and that Mr. *Hollis* and Mr. *Whitlock* might be cleared from, and have Reparation for this Aspersion: So at last it was referred to a Committee to be examined in the general; and Power given to the Committee to examine any Member of this House: And a Message sent to the Lords, to desire that the Lord *Savile* might be examined at this Committee.

20. *Caroli.*

The Committee met, and Mr. *Samuel Brown* had the Chair: Where the Lord *Savile* own'd the Letter and Paper as his, and his Hand to be to them; adding, that he *would justify them to be true upon his Soul and his Life*; but when put to it, could not make out the Particulars, more than what they acknowledged, by any other Evidence; so that after several Days canvassing the Matter and hearing of the Earl of *Denbigh*, the Lord *Wenman*, and others of the Commissioners that went with them to *Oxford*; and especially, for that depending the Business, the *Scots* Commissioners had intercepted certain Letters and Papers of the Lord *Savile*'s, which he was sending to *Oxford*; the chief Scope whereof was to be informed from thence, whether *Hollis* or *Whitlock* kept Intelligence with the Duke of *Richmond*, the Earl of *Lindsey*, or any others of the King's Party: Which being brought, and read in the House, and hereby somewhat of a Design being suspected to be in the bottom of this Prosecution; and the whole Matter being reported to the House, and there re-examined, the House in fine, after very high and long Debate, voted, That *it not appearing that Mr.* Hollis *and Mr.* Whitlock *had done any Disservice in their Proceedings at* Oxford, *Therefore the Remainder and whole Matter of the Report concerning them, should be laid aside, and no further proceeded in: And that the said Mr.* Hollis *and Mr.* Whitlock *shall have Liberty to Prosecute (if they please) the Lord* Savile, *now Prisoner in the* Tower, *for Damages.*

Hollis and *Whitlock* acquitted.

Die Martis, July 8. 1645.

An Ordinance of the Lords and Commons Assembled in Parliament, for the raising and collecting of ten thousand Pounds, for and towards the Redemption of distressed Captives.

Whereas by an Act made this present Parliament, entituled, *An Act for the Relief of the Captives taken by* Turkish, Moorish, *and other Pyrates; and to prevent the taking of others in Time to come*; a Subsidy of One *per Cent.* was imposed on all Goods and Merchandize exported out of, or imported into this Kingdom of *England*, and Dominion of *Wales*, which was to be one first Part more than the Customs and Subsidy of Tonnage and Poundage, according to the Book of Rates: Since the passing of which Act, the House of Commons by Order of the 10*th* of *March*, 1641. for divers Reasons did order, that Bonds should be taken by the Collectors of that Duty, to stand to the Order of Parliament. And whereas both Houses of Parliament, intending to carry on that good Work, did on the 24*th* of *October* 1644. Order, That

Ordinance for Redemption of Captives, *July* 8. 1645.

Ann. 1645. That only one fourth Part of the Monies due by the said Bonds, being one Shilling in every twenty Shillings Custom, should be paid by the respective Merchants of the City of *London*; having by their Petition set forth the great Inconveniences that might happen, as well in relation of the Advancement of the Work, as to the unequal Burthen that might rest upon the well-affected Merchants, in regard sundry Persons ill-disposed to that Work, and disaffected to the Parliament, did, during the Time of the said Act, make ill use of the Favour of the Parliament, and did fraudulently make Entry of their Goods in the Names of insolvent and unknown Persons, by whom Bonds were likewise sealed: And the Duty being now required, no such Persons appear, nor Moneys can be Collected for carrying on of that Work: Yet the said well-affected Merchants being desirous that the Work might go on, are ready not only by way of Advance forthwith to pay in all such Moneys as they themselves owe upon those Bonds, but likewise willing to discover the Fraud in those ill-affected Persons, and to use their best Endeavours to recover in the Moneys due upon such Bonds, so as they might be enabled by an Ordinance of Parliament, for continuance of that Duty of one fourth *per Cent.* for another Year, to reimburse themselves out of the one Moiety of the Collections of that Duty, or otherwise all such Moneys as they shall Pay in and Advance as aforesaid. It is therefore Ordained by the Lords and Commons assembled in Parliament, That *Samuel Avery*, Esq; Alderman of the City of *London*, *Walter Pell*, *Robert Lowther*, *Rowland Wilson* Senior, *Thomas Hodges*, *William Methold*, *Edmund Cason*, *Robert Abdy*, *Samuel Mico*, *Charles Snelling*, *Richard Legg*, *Thomas Rich*, *Jonathan Andrews*, *Nathanael Wright*, *Thomas Burnel*, *Richard Chiverton*, *Nathan Wright*, *Richard Hill*, *Benjamin Delannoy*, *William Vincent*, *Henry Hunt*, and *Hugh Wood*, or any Three of them, shall be a Committee, and have Power to receive from the Chamberlain of *London*, who is hereby required to deliver all such Bonds of Merchants heretofore taken for the satisfying of that Duty, by Virtue of the said Order of the 10*th* of *March*, 1641. And shall have further Power to receive all Moneys due upon the said Bonds from the several Merchants, according to the Rule following: That is to say, Of all such Merchants that shall before the 24*th* of *July* next, voluntarily Pay in the one fourth Part of the One *per Cent.* in obedience to the Ordinance of the 24*th* of *October*, 1644. upon their said Bonds they shall accept thereof, and deliver up their Bonds cancelled to the respective Merchants. But of all others which shall refuse to accept of the Benefit of this Ordinance, and to pay in their Moneys on their Bonds by the Day Prescribed; or any others that they shall discover fraudulently to have made their Entries in unknown Names, to elude the Ordinance of Parliament; that they shall have Power to require and receive the whole Duty of One *per Cent.* or the whole Penalty of the said Bonds, as they shall think fit. And if any shall refuse upon Demand to make such Payment, then to Levy the same by Distress upon the Goods and Estates of such Persons, and the same to sell and dispose of, for the Satisfaction of the said Bonds; and the Overplus, if any shall be, to return it to the Parties so refusing. And for the better Executing of this Service, they shall have Power to send for Parties, Witnesses, other than Peers, Papers, and Records, at a certain Time and Place, where they shall constantly sit. And it is further Ordained, that after the Sum of ten thousand Pounds shall be raised and collected upon the said Bonds, for the carrying on the said Work, such Merchants as shall on or before the said 24*th* Day of *July*, Pay in their said Moneys in Obedience to this Ordinance, shall be repaid the same out of the Surplus of such Moneys as shall arise upon the said Bonds, in turn as they did pay in their Moneys: And what Part shall be wanting for the full Reimbursement of every particular Merchant, shall be paid out of the one Moiety of the Receipts that shall be collected in the Port of *London*, on an Ordinance of Parliament passed this present Day, for the Continuance of the said Duty of one fourth of One *per Cent.* from the 10*th* of *December* next inclusive. Provided if any Merchant shall not pay in the Money due by his Bond, on or before the 24*th* of *July* as aforesaid, shall not enjoy the Benefit of this Clause, or any Thing in this Ordinance contained.

And it is further Ordained, That this Committee shall have Power to appoint a Treasurer to receive and issue out all such Moneys as shall be collected on the said Bonds, as he shall receive Order from Time to Time, from the Committee of the Navy appointed by Parliament, which shall be to him a sufficient Discharge; and to imploy such other Person or Persons in the Execution of this Service, and to give such Reward for their Care and Pains, as to them, with the Approbation of the Committee of the Navy, shall be thought fit. *20 Caroli.*

Lastly, it is Ordained, That if after the 24*th* Day of *July*, any Person or Persons shall be discovered eluding of the said Ordinance of Parliament for the Payment of that Duty, to have made fraudulent Entries, and to cause Bonds to be given in the Names of unknown or insolvent Persons, such Persons so discovered shall be liable to the Penalty of the said Bonds, and to such further Punishment as shall be thought fit by Parliament to be due to Offences of that Nature: One Moiety of the said Fine and Penalty shall be to such Person or Persons that shall make such Discovery; and the other Moiety to the State, to be employed to and for the Redemption of the said distressed Captives. And the Committee of the Navy are to take Care for the putting this Ordinance in Execution, and to give such further Instructions from Time to Time, as shall be needful for the better carrying on of this Service.

Die Veneris, 11. *Julii*, 1645.

Committee appointed by Parliament to receive the Moneys due on the Bonds for Redemption of the Captives in Algiers.

WHereas both Houses of Parliament have by their Ordinance dated the 8*th* Day of this present Month, for several Reasons mentioned and contained in the same, appointed this Committee to receive in all Moneys due upon Bond taken upon the Duty of One *per Cent.* for Redemption of Captives in *Algiers*, &c. from Merchants, according to this Rule; (*viz.*) Of all who shall voluntarily bring in their Moneys on or before the 24*th* present, one fourth Part of One *per Cent.* And if any shall refuse to accept of the Benefit thereof, or seek to elude the said Ordinance, that then they shall be compelled to Pay the said whole Duty of One *per Cent.* or the whole Penalty of the Bonds: the same to be levied by Distress. And if any Money shall be Overplus, after 10000 *l.* first deducted out of the Moneys arising on the said Bonds, the same shall be Repaid unto such Persons as shall Pay in their Moneys before the said 24*th* of this Month: And if such Remainder will not fully Reimburse them, then they shall be paid what Remains, out of the Moiety of the Moneys that shall be Collected on the Ordinance now passed for Continuance of the said Duty of a fourth Part of One *per Cent.* from the 10*th* of *December* next, unto the 10*th* of *December* 1646.

In Pursuance therefore of the Commands of both Houses of Parliament for the carrying on of this so Pious a Work, this Committee doth think fit hereby to Publish, that they intend and do appoint to meet constantly every Day at *Merchant-Taylors-Hall*, between the Hours of Three and Six in the Afternoon. And hereof all whom it doth or may Concern, are to take Notice accordingly.

Samuel Avery, *Robert Lowther*, *Walter Pell*, *Rowland Wilson* Senior, *Thomas Hodges*, *William Methold*, *Edmund Cason*, *Robert Abdy*, *Samuel Mico*, *Charles Snelling*, *Richard Legg*, *Thomas Rich*, *Jonathan Andrews*, *Nathanael Wright*, *Thomas Burnel*, *Richard Chiverton*, *Nathan Wright*, *Richard Hill*, *Benjamin Delannoy*, *William Vincent*, *Henry Hunt*, *Hugh Wood.*

A Decla-

Ann. 1645.

The Parliament's Declaration to the States General, *Aug.* 5. 1645.

A Declaration of the Parliament of England: *Written to the High and Mighty Lords*, The Lords States General of the United Provinces of the Low Countries: *Concerning their last Embassy Extraordinary into* England.

High and Mighty Lords,

THE Lords and Commons assembled in the Parliament of *England*, taking into their Consideration the late Embassy directed from your Lordships unto them; and well knowing by the Successive Transaction of Affairs between this Kingdom, and the States of the *United Provinces of the Low Countries*, as by the notable Assistances given and received against the Enemies of each other, that from the very beginning of the Restoration of the Liberty of that Republick, even unto this Time, there hath been a firm Union, and constant Intercourse of Friendship and real Affection between this Kingdom and that State; and that the mutual Expressions thereof, by many Actions which each hath performed for the Good and Welfare of the other, have been by the Blessing of God very Successful for procuring great Additions of Happiness unto both. And considering that the same Profession of the true Reformed Protestant Religion, the Advantages of Traffick and Assistance, by Reason of Situation, Commodities and Shipping, and the same common Enemies to both, which were the common Interests of Religion and State, that first Combined them in this unhappy League, do still continue: And that therefore upon the Observation of God's Blessing, and of the long Experience of the Fruits and happy Effects of it, they ought in Reason be much more Powerful now for the Continuation thereof, than they were in the beginning; they have thought good to let your Lordships know, that as this Pious and Strict Alliance was derived from their Ancestors unto them, so they have nothing more in their Wishes and Desires, than that the same may from themselves be transmitted unto Posterity, to be continued without Intermission from Age to Age, if God so please: And would have your Lordships rest assured, that they will never willingly do any Thing, nor suffer any Thing to be done, if in their Power, which may tend to the diminution thereof in the least Degree: But shall on the other side take all Occasions to let your Lordships know how much they Desire that by their Means a Foundation may be laid, if possible, of greater Assurances, and of a nearer Conjunction than heretofore hath been. And as they have herein manifested their own Intentions and Desires; so they would have your Lordships further know, that they nothing doubt, but that your Lordships have the same, and that they look upon that Embassy as a clear Testimony thereof, and as proceeding from those good Respects which you have constantly born unto the Peace and Welfare of his Majesty, and of all his Dominions; for which they return unto your Lordships their most hearty Thanks. And although when they call to Mind their own Demeanor in all the Passages of the Negotiation upon that Embassy, and their Sincerity therein towards your Lordships and that State; they have no Cause to believe that your Lordships do conceive otherwise thereof, than that they have therein expressed themselves with all due Respects unto your Lordships, and such as might justly be expected from so good Friends, then engaged in a Business intended and undertaken by you only for their Good: Yet in regard the Embassy hath not produced the happy Ends intended by your Lordships, and which the Houses of Parliament most earnestly desired and thirsted after (the composing the great Distractions within his Majesty's Kingdoms) and in regard they have some cause to fear that the Proceedings on the Part of the Parliament have been or may be represented unto you in such manner as may cause some Doubts in your Lordships, as well concerning their Carriage therein towards your Lordships, as concerning the Reality of their Endeavours for obtaining a safe and well-grounded Peace: They conceive themselves bound to endeavour as much as in them lies, the Prevention of any Mistakings or Misunderstandings from your Lordships in Matters of so high and tender a Concernment: And therefore because they know no better or more likely Way for the present to effect these

these their Desires, than to acquaint your Lordships with the Truth of all the Proceedings between themselves, and the Honourable Persons sent from you upon that Embassy, and with the true Reasons and Grounds thereof, they have made a Collection and true Narration of them as followeth.

When we first heard of the Arrival of your Ambassadors here, which was about the beginning of *January*, 1643. Although we knew not whether your Lordships had sent them to the King, or Parliament, or to both; yet we received them with the Civilities and Respects which have been accustomed in the Entertainment of such Ambassadors as have been most welcome to this Kingdom: After many Weeks stay in *London*, they went to *Oxford*, without any Addresss to the Parliament, or other Intimation of their Intentions, save only that they meant first to repair to his Majesty, then at *Oxford*; and after about six Weeks abode there, they returned hither again; and upon the 18*th* of *March*, 1643, delivered a Paper to each of the Speakers of the Houses of Parliament, with a Memorandum to that delivered to the Speaker of the House of Peers, in these Words, 'Delivered by the Ambassadors of the Lords Estates, unto *Monsieur* the Baron *Grey of Wark*, Speaker, 'to be committed to the Lords of the Parliament, this 14*th* day of *March*, 1643. The other to the Speaker of the House of Commons, with a Memorandum in these Words, 'Delivered by the Ambassadors of the Lords, 'Estates unto Mr. *William Lenthal*, Speaker, to be communicated to the Srs 'Commons of Parliament, the 14*th* of *March*, 1643.

To the Matter of these Papers, the Lords and Commons could give no Answer, in respect they were not Addressed to them in such Words, either for the Matter or Manner, as that they could Legally, and according to the Course of Parliament, take notice of them as directed to themselves. And although they did not at this time, nor had at any time before, tendered any Letters of Credence from your Lordships to either of the Houses, the same not being done until the Twelfth of *July* next following; Yet in regard the Papers purported an Embassy from your Lordships, they were readily received by the Lords and Commons; who were very much grieved that any thing should make them uncapable of giving a speedy and satisfactory Answer. And that Pretence of Mistakes through want of Knowledge of the Stile or manner of Addresses, might be taken away, the Houses were willing that some of their Members should repair to the Ambassadors to acquaint them therewith; who did accordingly, and left the same in Writing with them; Although the Houses had Cause to believe, that the Ambassadors were not ignorant, that other Ambassadors from the *French* King, having tendred Papers to the Houses, and in the Addresss, (the same in substance with this) received no Answer to the Matter of them. The Houses after long Expectation received nothing from the Ambassadors, and therefore the Eighth Day of *April*, 1644, returned this Answer to their Paper.

'That the Lords and Commons assembled in the Parliament of *England*, will 'always with due Respect acknowledge such Affections as from the Lords 'the States General of the *United Provinces* of the *Low Countries*, shall at any 'time be Expressed to the King and his Kingdoms; professing that they de- 'sire nothing more, than such a Peace as may as well procure Honour and 'Happiness to the King, as the Preservation of the true Reformed Religion, 'the Privileges of Parliament, and the Liberty of the Subjects in His Ma- 'jesties three Kingdoms, according to the late Solemn League and Cove- 'nant; And when they shall from and in the Name of the said Lords the 'States General of the *United Provinces*, propose any Thing to the Lords and 'Commons assembled in the Parliament of *England*, they will do thereupon 'that shall be fit.

After they had receiv'd this Answer, there were many Dispatches and Messages sent and receiv'd to and from *Oxford*, by and from them; and upon the 4*th* of *May*, 1644. Ambassadors came to the Speaker of the House of Commons, and by him presented their Service to the Parliament; protesting their Desires to do good, but that they met with no Success; and so took their Leave for *Oxford* again; whereupon the Speaker was appointed to give them a Visit, and

Ann. 1645. and a Return of their Respects to the House of Commons; which was performed, many of the House of Commons accompanying him unto them.

But when they perceived a considerable Army, (raised by Authority of Parliament) to come near unto *Oxford*, where they then were with the King, they came out with White Flags before them, and moved the Earl of *Essex*, the General of the Parliaments Forces, for a Treaty, to compose the Differences between his Majesty and the Parliament: His Excellency assured them (which we doubt not but they very well knew before) that it belonged only to the Parliament to appoint such a Treaty: With which Answer, after civil Entertainment, they returned again to *Oxford*; and from thence they came with their White Flags, which were still carried before them all the Way as they passed, even in this City of *London*, which (notwithstanding the bad Effects that such Carriage might have produced, and especially in the Army) they were willing to pass by; as also the bringing of some Persons in their Train from *Oxford*, that durst not otherwise see *London*; because they did in Truth most really desire that to which themselves and their Flag seemed so much to pretend.

After their Return hither, about the 19*th* of *June* 1644, they sent Messages to the Houses, that they had something to deliver unto them from your Lordships: Whereunto about 2 or 3 Days after, this Answer was sent them; 'That the Houses did expect that they should make their demand of Audi-'ence in Writing, with which if the Houses rested satisfy'd, that they would 'come to them as to the Parliament of *England*, Audience should be given 'them in each House apart. Which they did by their Writing, Dated the 5*th* of *July*, whereby they presented their Desires as to the Lords and Commons Assembled in the Parliament of *England*, and thereupon had Audience given them in each House the 18*th* Day of the same Month, with a most Honourable and Respective Reception. At the same time they deliver'd their Letters of Credence from your Lordships, and offer'd their Interposition and Mediation for composing of the Differences between his Majesty and the Parliament, which they left in Writing, together with a Memorial for Reparation of Damages sustained by some Merchants and Masters of Ships of the *United Provinces*, in their Ships and course of Trading, with Desire that Commissioners might be appointed for settling of the Things complained of.

In Satisfaction to their Desires concerning the Ships and Trading, The Houses the 24*th* of the same *July*, did make a Committee, consisting both of Lords and Commoners, to take the same into Consideration, with Liberty to confer with the Ambassadors touching the Matters under complaint. Of the Proceedings of the Houses concerning this of the Ships, they intend to give particular and speedy Notice to your Lordships, and to do that therein which they hope shall give full Satisfaction.

To their other Paper concerning their Mediation, the Houses returned this Answer the Sixth Day of *December* after;

'The Parliament of *England* do with all respectful Gratitude acknowledg the 'great and good Affection of the High and mighty Lords, the *States General* 'of the *United Provinces*, expressed by their Ambassadors, towards the good 'Peace and Happiness of these his Majesty's Dominions, and the Parliament; 'As also their friendly Offer to interpose, and use their best Endeavours for 'the effecting thereof, in case it be so desired. Nor had there been so much time intermitted here, in the maintaining and seeking of Peace, having ever been our chief Aim; had we not before this Offer of your Ambassadors, put ourselves in a way of seeking to his Majesty to re-obtain a wellgrounded Peace, by preparing certain Propositions tending thereunto; which upon the common Interests of both Kingdoms, have until of late remained in the Hands of the State of *Scotland*; and being returned from thence, are lately sent and presented by a Committee of both Kingdoms to his Majesty, from whom we hope to receive a Gracious Answer, they tending both to his own, and also his Peoples good. However, we cannot but express our due Sense of the good Respect from the high and mighty Lords and *States General* of the *United Provinces*, to this Kingdom, in their Desires to advance the happy Peace, which will have so great an Influence into the future good or

or Evil of all professing the Protestant Religion; in particular, the High and Mighty States of the *United Provinces*, whose Prosperity, as our own, we shall with all true Affection promote. 20 *Caroli.*

Although the desired Mediation be not hereby admitted, yet they hope the same will not seem strange to your Lordships, when you shall consider the Posture of our Affairs both at the time of their Audience, as likewise of this Answer, That the two Kingdoms were united by solemn Covenant made to Almighty God, and by League each to other, as one entire Body, to prosecute this Cause; and that in pursuance thereof, Propositions for a safe and well-grounded Peace, were then preparing in a joint way, by the Parliaments of both Kingdoms; which they believe was not unknown unto the Ambassadors at the Time of their Audience. As also when your Lordships, from what formerly hath been set forth, concerning their not acknowledging them the Two Houses of Parliament until about Six Months after their coming into this Kingdom, and from their Carriage otherwise, shall consider that they had just Cause to suspect that they did promote the Designs of the Enemies to the Parliament. For in this Particular they may well believe that that which is so notoriously known to all who do but live amongst us, was likewise known to them, That this Parliament was summoned according to the Fundamental Laws of the Realm, and made indissoluble save only by Act of Parliament, by a Law passed this Parliament with his Majesty's Consent; and when their Letters of Credence from your Lordships, which were made above Six Months before their acknowledging of the Parliament, directed (as by the Indorsement appears), *To the Parliament of the Realm of England:* And that as themselves declared, they were charged by your Lordships to advance the Protection of the Laws of this Kingdom, without patronizing any Act which might tend to the enfeebling or Destruction of the same. Whereas their Carriage is not acknowledging of the Parliament in so long time, in respect that those at *Oxford* have declared against it, did bear an Implication of doubt, whether the Laws and Statutes of this Realm were of any force, otherwise than according to the Will and Pleasure of his Majesty; this Parliament having received the first Being by the Common Laws of this Realm, and the Continuance by Act of Parliament; by which only this Kingdom is governed, and without which the whole Frame of Government would be dissolved. Neither, my Lords, could the Houses well interpret their employing of one *Dillon*, as one of their Secretaries, and Interpreter, who was a Papist, and suspected to have been an *Irish* Rebel in the present Rebellion of *Ireland*; and who upon all Occasions declared himself an Enemy unto the Parliament.

Thus having informed your Lordships in Part what they did with us; we shall likewise intreat your Lordshops to call to mind some publick Representations which they have made unto your Lordships.

By their Letters from *London*, *December* 16. 1644. Amongst other Things, speaking of the Trial of the late Archbishop of *Canterbury*, they say, 'Mean 'while the House of Commons is very eager to bring the Archbishop of *Canterbury* to his End, as we have formerly signified: And though there is no 'Law or Right in *England*, whereby his Actions that are laid to his Charge 'are declared High Treason, and worthy of Death; yet hath the said House 'now by an Order declared, that his Actions wherefore he is charged, are 'of so high a Nature; and therefore they did desire that the Upper House 'should also give their Consent to the said Ordinance. But thereupon the 'Lords made some Difficulty, and yet are deliberating about it: And this 'Day seven-night the House of Commons sent one of their Members (by 'Name Mr. *Stroud*) to the Upper House, to desire the Lords to agree with 'the Commons in the Business of the Archbishop of *Canterbury*. And when 'the Lords gave Answer, They had great Consideration therein, so that they 'must not be hastned; the said Mr. *Stroud* is said to have said, *The People of* 'London *should come to hasten them.*

The House of Peers concurred in all things with the Commons in passing this Ordinance: And it seems strange to the Houses, that Ambassadors should be so confident that they knew the Laws of this Kingdom better than the Parliament, as to charge them with Injustice in putting the Archbishop

Ann. 1645. to Death: Or that they should have the House of Commons thought to have used any undue Carriage to the House of Peers by that Message, when in truth no Words in that Message, nor in any other concerning that Ordinance, could bear the Sense expressed in that Letter, nor any Sense to that Purpose.

In the same Letter is this Expression: 'And indeed we cannot but with 'Grief here complain, That there is here little Respect and Civility shewed 'to your Commissioners: We have heretofore oftentimes written that we 'might again return into the *Low-Countries*; and expect by the first Post your 'Highnesses Answer and Resolution.

'*January* 6. There was also on *Sunday* in the Churches publickly prayed, 'That God would not suffer to succeed the Treaty of Peace betwixt *France* 'and *Spain* at *Munster*; nor that between *Sueden* and *Denmark*.

'The Common Council of the City of *London* hath lately been changed; 'about which changing there appears no Sign of any Impartialities; so that 'it is thought that this new-chosen Common-Council hath no better Incli'nation to Peace than the former.

The Common Council of the City of *London*, whereupon the Government of the City doth chiefly depend, is charged at least with Suspicion of Partiality and Disaffection to Peace: A heavy Charge is laid upon the Reverend and Pious Divines: Neither of the Houses have heard of such Publick Prayers, neither do they believe that any such Prayers were used by them: And therefore they leave it to your Lordship's Consideration, whether the Ambassadors had cause to send this Information.

In the same Letter: 'A Herring-Busse belonging to the Burgmaster *Colster* 'at *Rotterdam*, having been taken by a *Dunkirker*, and again forsaken (be'cause there came near them an *English* Ship, which the *Dunkirker* did fear 'to be a *Dutchman*) was got here again free, as soon as she was brought hi'ther; but the Officers of the Admiralty will not now suffer her to come 'away, unless she pay first Custom for the Salt she carrieth; and by such 'dishonesty the said Busse is already a long time stay'd.

My Lords, Whether the Ambassadors had not cause to have acknowledged a kind and good respect in taking of Custom, or Silvage only, of that Ship, rather than to have charged Dishonesty upon the Justice of the Kingdom, they shall make appear to your Lordships when they shall send unto you, their Proceedings concerning your Ships and Course of Traffick.

January 20. 1645. 'The Lower House hath caused the Chamber where 'they sit in, to be hanged in Tapistry, which was heretofore never so; it is 'said it is done, that the Lords changing their Chamber, shall come and sit 'in the House of Commons; and so to be both together reduced into one 'Body, and the better agree by Number of Votes. When heretofore the 'Parliament was full, then the Lords Chamber did consist of about 126 or 'more Votes, and the Lower House above 500 Votes; and they have always 'been in several Houses, and the one could not conclude any thing for a Re'solution of the King, unless the other House did also consent; but now 'the King is absent, and the Upper House should now be melted into the 'Lower; and in the Common Assembly of about 26 Lords which are now 'here and some 200 Commoners, so the most Votes should Rule and Or'dain all Matters: Thus much we are told, and that it tends to shun many 'Disputes and Hindrances which happen in their Resolutions every Day: 'The Lords remain constant to maintain their Right; and say, This is to 'take away all their Right and Prerogative, taking away their House, and 'so bring all the Power under the Commons.

My Lords, The Commons are charged with Endeavour of altering the Fundamentals of Parliament, by taking away the House of Peers, and melting it into the House of Commons; when as there was never any Debate in the House of Commons concerning any such Mater, nor was the same ever intended or desired by the said House. The Proceedings of Parliament are endeavoured to be blemished by the Absence of the greatest Number of the Members of both Houses; when as they might as well informed your Lordships, That above Forty of the House of Peers were Papists and Bishops; and that the Bishops by Act of Parliament, whereto his Majesty gave his Assent,

Assent, are taken out of the Lords House: And that many of the Lords who formerly deserted the Parliament; yet upon due Consideration of their Error, they are returned again, though not admitted to sit. And that the House of Commons doth now consist of a far greater Number than is in that Letter mentioned; above two hundred and fifty having taken the late solemn National Covenant in the Houses, besides many that are employed otherwhere in the Affairs of the Parliament; and that many since the beginning of this Parliament, which is almost five Years, are Dead, and none since chosen in their Places. The Houses thought good to let your Lordships know thus much, that it might not be conceived from any Expressions in this Letter, that the greatest Part of the Members of Parliament had absented themselves out of dislike of their Proceedings. 20 *Caroli.*

My Lords, Though the Advertisements were since the Answer to their desire of Mediation, yet the Parliament hath further Cause from thence to conceive that they were not then mistaken; as likewise from the Contents of his Majesty's Letter of the 26*th* of *March* last, sent unto the High and Mighty Lords the *States-General* at the Time of the Return of the Ambassadors from hence, as followeth:

High and Mighty Lords, our good Friends and Allies; by these Presents which Signior Borrel, *and the Lord of* Renswood, *Baron of* Reed, *will deliver unto you, we do declare more fully the great Subject of Confidence we have taken in the Justice, and most sincere Amity you our good Friends and Ancient Allies do shew us. For though we formerly had Knowledge thereof in many Ways, yet do we now receive a stronger Satisfaction; and we acknowledge to be far more satisfied than ever heretofore, with your Zeal for the good of our Person, and the true Quietness of our Kingdoms, by this your employing towards us Two so accomplished and wise Persons. And to testify the Justice of our Cause, and the Candor wherewith we proceed, we would have, and would yet gladly and willingly remit the Disposition thereof, and refer to the Judgment of those of your State, and of that of our other Allies, the Accommodation of the Differences that Trouble* England *and our other Realms.*

The said Ambassadors have very well learned the Constitution of the Affairs here on the one and the other Part; they have behaved themselves with a singular Impartiality and Conduct, so that we ought for ever greatly to Praise them. And as at their Arrival they found us most ready to admit of their Interposition; so also at their Parting they could well discern by what they lately did in our Name propose concerning the Point of Religion, our Constancy and Passion for the Peace: And therefore we do not doubt but you will lend us a good Hand, with just Means to attain the same; that so we may be reciprocally Profitable unto you, as we here assure you of our most Hearty desire upon all Occasions and Occurrences. We wish you would be pleased to hear at large these things, and other particulars which we have intrusted to the Relation of your said Ambassadors. And thus we pray God that he keep you, High and Mighty Lords, our good Friends and Allies, in his holy and worthy Guard. Given at *Oxford*, March 26. 1645.

Your very good Friend, Charles R.

And countersign'd by his Majesty's Command, Ed. Nicholas.

To the High and Mighty Lords, our good Friends and Allies, The States-General of the United Provinces of the Low-Countries.

My Lords, That they returned not this Answer sooner, though their Businesses were many and great, yet they would have your Lordships to conceive that they desired to Prefer none before the shewing of all due Respect to your Lordships: But they deferred it partly to see whether your Ambassadors upon further Information of themselves, would express a more Indifferent Carriage: But especially because they were unwilling to give a Denial to any Thing propounded unto them in the Name of your Lordships.

My Lords, We shall now go on: About the end of *January* last, the Ambassadors made shew of taking their last Leave of the Parliament; and returning

Ann. 1645. turning again to *Oxford* (as was said) to do the like there, which was about the Time of the beginning of the Treaty at *Uxbridge*: But about the breaking up of the Treaty they returned to *London*; and the same Morning that the Commons sent from the Parliament, were expected in the House to give an Account of their Proceedings, which was the 24*th* Day of *February* last, the Ambassadors without any former Demand of Audience, according to the usual Course of Ambassadors, as should seem by the Manner of it, with intent to anticipate the Account of the Commissioners to the Parliament that sent them, came to the Speakers of both Houses, and pressed for a speedy Audience that Morning; which being granted, they made these Propositions concerning the Treaty, and delivered them in Writing.

'Right Honourable, We have heretofore as well particularly as in publick 'demonstrated the High and Mighty Lords, our Lords the States General of 'the *United Provinces*, their great Desires and sincere Endeavours they con- 'stantly continue; That in a happy hour they might see a good Accommo- 'dation betwixt the King and his Parliament, and Peace re-established in 'these Kingdoms.

'And your Honours by your Professions by Word of Mouth, and of late 'given unto us in Writing the 10*th* of *December* last past, have not only testi- 'fied that the said Desires and sincere Intentions of our Lords and Superiors 'were very acceptable unto you; but also you added, That your Honours 'did judge the said Accommodation and desired Peace, did as highly concern 'those that make Profession of the true Protestant Religion; and in parti- cular our Lords and Superiors.

'All these Motives suppeditated by your Honours, and our Duties, have 'continually wrought in us a very great Care to fix an Eye upon his Majesty's 'Proceedings and Yours: And now lately, upon the Conference and Trea- 'ty that at present is at hand at *Uxbridge*, where his Majesty's and your Com- 'missioners labour (as we hope) with Utility to obtain so much desired 'Success: We must also say, That at our being at *Oxford* we received the 'Honour, that his Majesty hath ordered to communicate unto us all the Pas- 'sages of that Conference: And by one and the other, we have observed in 'the first Place, That his Majesty above all things desires an Accommodation 'with your Honours: And that his Majesty entirely enclines to give all man- 'ner of Content, and assurance of his Affection, in all things which are 'Just and Honourable.

'In the second Place, We are informed, That by the Answer to the Pro- 'positions of your Honours touching the Point of Church-Government, the 'Personal Excesses that may have been committed heretofore, were not to 'be feared for the future.

'Thirdly, That if in the Form of Government itself, and the Exercise 'thereof, and the Jurisdiction therein comprehended heretofore, any thing 'was to be excepted against; your Honours can judge if that be not pre- 'vented, by means of those Offers his Majesty hath made to that End.

'And notwithstanding, Srs, we have seen that the Point of Church-Go- 'vernment was yet behind, and without Accommodation; wherefore we 'have been moved to consider more exactly how your Honours in this Point 'might desire any other or further Satisfaction: And we are obliged to say, 'That this Consideration is fallen out so well, that his Majesty hath declared 'unto us, and permitted us to communicate unto you, that if your Honours 'are not contented with that which he hath offered by his Commissioners at '*Uxbridge* unto yours there, that his Majesty out of Abundancy is contented 'that a National Synod my be called and assembled, and thereunto the De- 'puties of all other Protestant Churches of *Europe* invited for their Advice: 'Which Synod shall examine all that which concerns the Point of Religion 'in the said Government of the *English* Church, that might be contrary to 'the Word of God, whether in Part or in General; that his Majesty is con- 'tented to Correct and Redress it accordingly. And by that Means, as by 'a common Consent of all those that make the same Profession of Faith and 'Religion, to put a good End to all these present Distractions.

At this Time they knew that the Parliament had not admitted of their Interposition: They knew that both the Kingdoms were mutually engaged in the Propositions and Treaty thereupon; and that neither could admit of their Mediation, without consent of the other. But they will enforce it upon the Parliament; which if accepted, they knew might give Cause of Exception to the Kingdom of *Scotland*; to which Kingdom they never made any Address for their Interposition. 20 *Caroli.*

The Matter of the Paper carries a shew of making themselves Judges of the Propositions treated upon; and inclines the Justice and Moderation upon the whole Cause to the other side, which only they had heard.

Their Propositions likewise imply, That his Majesty hath offered that concerning Church-Government, which might in Reason have given Satisfaction: Although the Government by Bishops of this Kingdom should have been consented unto, contrary to the late Solemn and National Covenant which they knew both the Kingdoms had made and entered into: The Correction and Redress of which Government in *England*, is the whole Matter for which the National Synod of all the Protestant Churches in *Europe* is by them proposed. It is to be observed, that they propound the Correction and Redress of this Government in the *English* Church, by that National Synod, as a Means, by common Consent of all those that make the same Profession of Faith and Religion, to put a good End to all these present Distractions: When they are not ignorant, that this Government is not to be excercised within the Kingdom of *Scotland*, being wholly taken away by Act of Parliament, whereunto his Majesty hath given his Royal Assent. And that not only that Kingdom, and the Members of both Houses of Parliament here but also many Thousands of others his Majesty's Subjects of *England* and *Ireland*, stand bound by their late National Covenant to endeavour the Extirpation of the Church-Government by Bishops, intended in that Paper, both in *England* and *Ireland*, and to hinder the setting of it up again in the Kingdom of *Scotland*. Neither do they conceive how the continuance of any Episcopal Government in this Realm, though Moderated, should (in the Ambassadors Apprehension) cause a nearer Union with the Churches of the *United Provinces* of the *Netherlands*, or any the Neighbouring Protestant Churches; the same not being exercised in them.

And in respect that the Ambassadors knew that the Assembly of Divines which the Parliament had called, and which is assisted by Pious and Learned Divines from the Church of *Scotland*, had sate twelve Months and upwards, before this Proposition of theirs was made; and that they might well know that the Assembly was to advise the Parliament not only in Church-Government, but in framing a Publick Directory to be used in the Worship of God, in a Confession of Faith, and in a Catechism: These to be had and used in his Majesty's Three Kingdoms: And that they had finished some of them, and had made a great Progress into all the Rest. They cannot conceive why this Proposition for calling the National Synod by them proposed, should be made at this Time; and that only to Consider of the Redress of the present Government of the Church of *England*; whenas the doing thereof in this Juncture of Affairs could not but cast a Blemish upon the Proceedings of the Parliament, for desiring to advise with the Divines, and upon the Piety and Learning of the Reverend Divines of the Assembly.

Not long after the making of these Propositions, the Ambassadors again desired Audience of both Houses, and were received with the same Honours and Respects as before. That which they spake was also delivered them in Writing, as followeth:

'Right Honourable; two Things have moved our Lords and Superiors to 'send us their Ambassadors Extraordinary into this Kingdom; (*viz.*) Their 'Duty, and your Service. The first consisted in their Power, and in the re'senting of the present Distractions: The other being altogether in your 'Choice to accept, if you should like of it.

'We have long ago and divers Times spoken unto your Honours of the 'one and the other; as likewise unto the King, who hath honoured so much 'our

Ann. 1645. 'our State, as to have accepted the Offers of our Interposition; but we are 'still with your Honours upon the same Terms we were at the beginning, 'without any Certitude or Likelihood to be accepted.

'We have already obtained our Leave from the King, and have left his 'Majesty full of Good-will and Disposition for a just and reasonable Accom-'modation; likewise we parted from him well satisfied concerning the Point 'of the Evangelick Protestant Religion, upon the Offer he hath lately per-'mitted us to make. And as concerning the Royal Rights or Prerogatives, 'the Liberties and Privileges of this Kingdom, and the Parliament, and of 'all the Subjects, no doubt when that his Majesty shall be satisfied, his Ma-'jesty will also satisfie every one.

'But, Sirs, we can stay no longer here, unless your Honours accept of 'our Interposition, without which we are useless. And from hence it is, our 'Lords and Superiors have Charged us in such a Case to take our Leaves, and 'return to our own Home. In Performance of which last Duty, we are 'here come before you, assuring you we shall never cease to wish unto this 'heretofore flourishing Kingdom, an Accommodation and Peace, which 'is and ever will be as Profitable as Necessary.

This Paper was not Subscribed by Sir *Alberte Joachimi*: How far he concurred in the other Parts of this Negotiation, is better known unto your Lordships than unto us.

My Lords, It is here acknowledged that the Mediation had not been accepted, and yet they make themselves not only Mediators, but Judges, and Pronounce Sentence against both Kingdoms, as being jointly concerned, as well in the Treaty as in the War; neither being heard, nor having made any Address to the Kingdom of *Scotland*.

The Words of the Paper do infer, That such Acts of Injustice have been done unto his Majesty, as that he may in Justice do as he doth, until Satisfaction given; and that the Blame and Injustice lies upon the Parliament, in Respect they have not in the first Place given this Satisfaction: Whenas they knew that in the Treaty, even with his Majesty's own Consent, the Propositions concerning Religion, the Militia, and *Ireland*, where first to be concluded.

And truly it seems strange to us, how they should so well know either the Privileges and Proceedings of the Parliament, which they have so much mistaken in their Letters; or the Leberties of the Subject here; or come to be so well assured of his Majesty's Intentions, as to Pronounce so full a Judgment, That in this Case his Majesty will give Satisfaction: Whereas the Parliament, upon the Observation of his Majesty's Proceedings hitherto, doth not know how to give his Majesty Satisfaction, unless it be by the renouncing of the Privileges of Parliament, and Liberties of the Subject.

Soon after the Delivery of this Paper to the Houses, the same by the Direction of the Ambassadors was published in Print. And although it were spoken in the Houses, and delivered to them only in the *French* Language, yet it was Translated and Published by them only in *English*; which had the matter of that Paper concerned the Honour or Interest of their Superiors, it would not have seemed so strange unto us, as it doth in this Case, which is only for interposing between others; whenas the same, for the Reason aforesaid, could not be admitted by the one Kingdom, nor were so much as desired from the other.

This was their Farewell from us: And when the Houses knew their Intentions of repairing Home, they gave Orders that the usual Honours and Respects to Ambassadors should be done unto them; which was accordingly Performed.

My Lords; The Houses of Parliament, out of their earnest Desires to continue a right Understanding between themselves and your Lordships, have thought themselves bound to make this true Relation, as that which by the Laws of Friendship (in such a Case as this is) might justly be expected at their Hands, from so good Friends and Ancient Allies; and that by the right Knowledge of their Proceedings upon this Embassy, all cause or matter of Suspicion might be taken from your Lordships: That the Offers of that State for

for a Mediation, were never by them conceived unacceptable; there being no other State in the World, to whom they had cause to give more Credit in this Case, without the least Jealousy, than unto that: And likewise that it might appear unto your Lordships, that no Actions of theirs in this Transaction (as they conceive) could give any just Occasion of laying the least Blemish upon the Sincerity of their Endeavours for the obtaining of a good and happy Peace; which is the Thing they have always most earnestly desired, and which they daily pray and labour for. 20 *Caroli.*

Concerning which Particular they should have thought it needless to have said any thing unto your Lordships, had not the Matter of the Two last Audiences from your Ambassadors required it: Because we cannot conceive that your Lordships should think otherwise of the Parliaments of both the Kingdoms, than that they were duly sensible of the Calamities of a Civil War; and that they could not but know that the Continuation of it, without any absolute Necessity, would most redound to the prejudice of the Subject, and so of themselves, in respect they were to feel the Smart, and bear the Burthen of it more than others. And that your Lordships may know the better how to judge upon those Papers, and upon the whole Manner of the present Distractions and Calamities within this and his Majesty's other Kingdoms; it may be useful to acquaint your Lordships at present in Part with the Cause and Manner how they broke forth unto the present Distemper.

It is well known, that of a long time there hath been a Jesuited Design of Papists and other ill affected Persons to the Religion and Laws of these Kingdoms, to undermine, if not wholly to overthrow, the true Reformed Protestant Religion, the Laws of the Kingdom, and Liberty of the Subjects; and that the Design was far advanced long before this present Parliament: And that when former Parliaments endeavoured to apply a Cure, they were always broken. When they saw that within the Kingdom of *Scotland* they were not likely otherwise to prevail, they made trial of enforcing it there by open War in the Year 1638.

When they found they were not able for the present to carry it on that way, they made a Peace with *Scotland*, with an intent to get themselves thereby into a better Posture of War. This Treaty was broken by them, and a Parliament is summon'd in this Kingdom, to meet in *April* 1640. and Aid desired for renewing the War against that Kingdom. And when they had Cause to fear the Parliament would assist them in that Quarrel, the Parliament is broken, and the War renewed against *Scotland*, contrary to the Treaty. But being worsted, and the *Scots* Army entred this Kingdom, a Parliament is again summon'd to meet in *November* following. The Parliament, though the War was undertaken for the Purposes, and in the Manner as is before expressed, yet out of their earnest Desires of his Majesty's Happiness, and of the Peace of his Kingdoms, they took upon themselves the Payment of both the Armies, and gave their best Assistance to compose the Differences: Both which, by the Blessing of God were accordingly performed.

During the time of this Treaty, and notwithstanding the Payment of both the Armies by the Parliament, yet under-hand Messages were sent, and Means used to have engaged both the Armies against the Parliament; and for the bringing them from the *Northern* Parts nearer *London* for that End. Their Endeavours therein with the *English* Army was prevented by a timely Discovery; and their Hopes from the *Scots* Army were frustrated by their denial of the great Offers with Disdain, which were made to them for that Purpose. And when they saw that the Brotherly Respects from each Kingdom to the other, had begot a Union, and were out of hope that the Parliament of *England* would submit to the Design, and that the Parliament could not be dissolved, but by its own Consent, they prosecute the Design by open Force in the Kingdom of *Ireland*, to the Destruction of the greatest part of the Poor innocent Protestants there: And after Countenance given to the Rebels there, they procured his Majesty to come into the House of Commons then sitting, with Armed Men, to take away by Force Five of their Members; whereof failing, in regard that those Persons were not then there, they afterwards declared against the Parliament of *England* by open

Ann: 1645. War. And when the Kingdom of *Scotland* appeared with them in the Cause, they made use of the *Irish* Rebels, and the Papists, and Prelatical Party, against the Parliaments of both Kingdoms; and likewise of divers Persons accused in Parliament of high and great Crimes, long before this War.

When both Kingdoms had from hence, and otherwise, cause to believe that the Plotters and Fomenters of this Design could not in likelihood, by any Successes, be removed from their Purposes, the Parliaments of both Kingdoms held it necessary, That the Subjects of his Majesty's Three Kingdoms should enter into the National Covenant before-mention'd; wherein the Sincerity of their Intentions is expressed.

For which Cause they have herewithal sent it unto your Lordships; as also that your Lordships may hereby understand, That they are resolved, by the Assistance of Almighty God, never to desert or abandon this Cause, out of any Worldly Respects whatsoever.

By this short Relation, the constant Resolutions and unwearied Endeavours of the Enemies of both Kingdoms will appear unto your Lordships, that when they could not after much Labour and Time spent, effect their Desires under Pretence of Law, that they attempted them above Seven Years since by open War; which had almost ever since been by them continued in some of his Majesty's Dominions, until within these Eight Years it hath been brought into and continued in them all. And thence your Lordships may have Cause to consider, whether the Parliaments of both Kingdoms have any other Way or Means left them for procuring of a Peace, other than the laying down of their Arms, and submitting themselves upon such Terms as those Persons will yield them: And whether the fomenting and cherishing of the *Irish* Rebellion, and the employing of those Rebels, the Papists and the Persons accused, may be relyed on as the Means to preserve the Protestant Religion, and Laws of the Kingdom, as is pretended by them. And likewise, in Case they should prevail within these Kingdoms, what may be expected by others who desire to continue the Maintenance of the Protestant Religion, and the Laws of their Country, from the Example of the Innocent Protestants in *Ireland*, who had never given the least Cause of Provocation, either by way of Opposition, or otherwise.

My Lords, The House would not have your Lordships think that they have made this short Relation, as that which should fully set before you the whole Cause and Matter of the Quarrel; which for the clearer Satisfaction of your Lordships and of the World, concerning the justness of their Cause, and the Necessity and Manner of their defending it, they refer unto a further time; and likewise the Proceedings upon the late Treaty of Peace at *Uxbridge*: But have done it only as in Relation to your Embassy, and to the Matter of the Two last Papers of your Ambassadors; whereby the Continuation of the present Distractions seems to be laid at the Doors of the Houses of Parliaments of both Kingdoms.

My Lords, The Parliaments doth rest most assured, That God in his good Time will clear their Integrity in this Cause to all the World, as he hath already done in a great Measure to all who have been Impartial Beholders of their Actions. They have sent this Declaration out of their Desires that they may likewise stand right in the Judgment and Opinion of your Lordships therein, and in what concerns their Reception of your Embassy.

Philip Wharton, *Speaker of the House of Peers.*

William Lenthal, *Speaker of the House of Commons, in the Parliament Assembled.*

Die Sabbathi 5 Augusti, 1645,

It is this Day Ordered by the Commons Assembled in Parliament, That the Declaration setting forth the Transactions between the Parliament and the States Ambassadors, be forthwith Printed; and that it be referred to the Committee of both Kingdoms, to take Care of the Printing hereof.

A Second

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21 *Caroli.*

The Parliament's Second Declaration to the States-General, *Sept.* 15. 1645.

A Second Declaration of the Lords and Commons assembled in Parliament, of the whole Proceedings with the late Extraordinary Ambassadors from the High and Mighty Lords, the States General of the United Provinces; concerning Restitution of Ships and the Course of Trade.

THE Lords and Commons assembled in the High Court of Parliament of *England*, having not long since dispatched unto you, *Most High and Mighty Lords*, a Narrative of the Proceedings upon the late Embassy from your Lordships, in Point of Interposition between the King and the Parliament, the Supreme Judicature and Representative Body of this Kingdom, are confident that your Lordships remain most fully possessed of our real Intentions for a good Accommodation and Re-establishment of this present distressed and distracted Kingdom, in a blessed Peace. Nor do these Desires of ours bound themselves here at Home; but it is well known (we hope) unto your Lordships, with what reality of sincere Affection we endeavour to maintain all good Correspondency and Amity with your Lordships and the *United Provinces*, according to Antient and Modern Treaties and Alliances; as also with what readiness we have always upon all Occasions inclined to Administer Justice towards you and yours.

Yet lest any evil-affected Persons, engaged either by private Passions and Respects, or out of other sinister Intentions or private Interests, should labour to sow the Seed of Division or Misunderstanding between us, by Reason of some Obstructions of late in Trade and Commerce, and according to our Engagement and Promise by the former Narration:

We shall now make a candid Declaration of our whole Proceedings with your late Ambassadors, concerning Restitution of Ships, and the Course of Trade.

My Lords; We finding that divers in Rebellion in these Kingdoms of *Great Britain* and *Ireland*, had possessed themselves of divers Maritime Towns and Ports of the said Kingdoms; and that under pretence of Trade and Commerce, great Quantities of Ordnance, Arms, and other Warlike Ammunition, with Victuals, and Contraband Goods of all sorts and kinds, were frequently carried into those Parts, to the strengthning of the said Rebels, and lengthning of their unnatural Rebellion, and this destructive Civil War, did by our Publick Edict or Ordinance, bearing Date the last Day of *November*, 1643. prohibit all Trade and Traffick into certain Ports of these Kingdoms, then and yet in Rebellion and Defection to the King and Parliament, under Penalty of Confiscation.

My Lords, Your Ambassadors having in the Month of *July*, 1644. Audience in both Houses of Parliament, with their Offers of Mediation, presented likewise a Paper, entituled, *Ships, Merchandizes and other Goods, of which the High and Mighty Lords, the States General of the United Provinces of the* Netherlands, *demand by their Ambassadors the due Restitution and Payment of all Damages and Interests.* And in the beginning of *August* sent to the Speakers of both the Houses of Parliament, a Second Paper of *Demands*, entituled, *Continuation: Other Ships, Merchandizes, and Goods, whereof the Ambassadors of the* United Provinces *demand Restitution, and Payment of Damages.* And in the Close of that second Paper, made a Demand in these Words following:

That the Parliament would please to give Letters of License or Passport to Thomas Cave *and* Edward Man, *dwelling at* Amsterdam, *to withdraw their Merchandize and Goods which were then in the Town of* Exeter, *bought long since by their Order, and for their Account; and that they might lade them in a Ship, and carry them thence. And that the like License and Liberty be granted to all the Subjects and Inhabitants of the* United Provinces (*being desired*) *for the future.*

Upon Receit of these Demands, we did with all Reality and Readiness appoint a select Committee of the Lords and Commons of both Houses, with full Power and Commission to consider thereof, and to Treat with your Lordships Ambassadors touching the Complaints of Damages, and Matters aforesaid. Hereupon several Conferences were by that Committee had

Ann. 1645. with your Ambassadors; and after several Debates, the Demands concerning Restitution of Ships and Damages, were found by their Lordships own distinction, to be of these two several Natures; either concerning the Publick Interest of your State, or the private Interest of particular Persons.

Under the first Head they reduced only Four Ships: The *Utrecht*, Captain *Kirkhove*: The *Thomas Bonaventure*, *Thomas Sharper* Master: The *Paul*, Master *William Smicts:* And the *Golden Parrot*, Master, *Ditliffe Muller.*

This Ship *Utrecht*, as was affirmed by your said Ambassadors, was a Frigat belonging to the *States-General*, and by Order of the Council of the Admiralty of *Roterdam*, appointed to go *Northward* for the Guard and Convoy of their Fishermen: But the Ships in our Service meeting with her at Sea, upon Examination, found on Board her one Colonel *Ogle*, a Man in Rebellion, and very active against the Parliament, and other Passengers, with Seventy Barrels of Powder; and Merchandize, to be carried to the Port of *Scarborough*, then held out by the Rebels against the Parliament; and had Aboard her divers Letters directed to the Marquess of *Newcastle*, Sir *Hugh Cholmly*, and other Persons in Arms against the Parliament. Although this Action in itself was most inconsistent with the Condition we then were in, and the same acknowledged by your Ambassadors, and the Laders were imprisoned and punished by your State for that Offence; yet being most willing to continue the Ancient Friendship and Amity, or rather to oblige both States in a stronger Alliance; upon the bare Affirmation of your Ambassadors, That the Conveyance of these Rebels and Ammunition in that Ship, was a Matter covertly transacted by the Captain and Company of the *Utrecht*, without the least Knowledge of the State, were most ready to give Credit thereunto: And thereupon gave Power to that Committee to pass an Order for her Discharge; which was accordingly affected: Which Order was as followeth:

Die Mercurii, 4. Sept. 1644.

Committee of the Lords and Commons appointed to treat with the States Ambassadors.

'We conceive that no Man will deny, that a Ship carrying Powder and 'other Munition to a Port in Hostility to this State, not only the 'Munition, but the Ship itself is by Law confiscated: Yet forasmuch as 'Their Lordships have upon their Honours affirmed (which is held in great 'Esteem by this Committee), That the Ship *Utrecht* is a Ship of War im'mediately belonging to their State: And that the Powder, Merchandize, 'and Letters found in her, were laden on Board that Ship by a false and 'counterfeit Pass, and without the Knowledge of that State; and the Laders 'thereof have been imprisoned and punished for that Offence: This Com'mittee, in farther Testimony of their great Desire to maintain all good Cor'respondence with those from whom they are sent, and the good Amity 'between this Kingdom and State, are well content the said Ship with her 'Tackle and Furniture be restored.

The next Three Ships in order were, The *Thomas Bonaventure*, with her Lading of Coals; the *Golden Parrot*, with her Lading of Coals; and the *Paul*, with her Lading of Corn: Of which Ships with their Lading, your Ambassadors demanded Restitution; for they were taken by the Ships in the Service of the Parliament, within the Buoys and Jurisdiction of that State.

The first of these Ships, the *Thomas Bonaventure*, upon Proof appeared to be a Ship of *Newcastle*, taken by the Ships in our Service as she was coming with her Lading of Coals from *Newcastle*, then in the height of Hostility and Rebellion: These Coals, upon Proof, appeared to have been laden by Sir *John Marley*, the then Mayor of *Newcastle*, to be sold, and the Return to be made him in Powder, Arms, and Ammunition: The Master, *Thomas Sharper*, a known Incendiary, and very active against the Parliament; against whom we had just Cause to have proceeded upon a Charge of high Misdemeanors, to have brought him to exemplary condign Punishment.

The second of these Three, the *Golden Parrot*, upon proof, was found to have carried from *Dunkirk* Saddles, Match, and Bandaliers, for *Newcastle*, then in Rebellion; and returning with the Proceed of the same in Coals, was taken and condemned for good Prize, and sold Two Months before this Demand.

The last of these Ships, the *Paul*, was taken laden with Corn to be carried to *Dublin*, since the pretended Cessation there; and had a Pass from the Earl of *Ormond*, one of the chief Rebels of that Kingdom; and therefore was taken and brought in as Prize, though since discharged.

My Lords; we doubt not but that the bare repeating of the several Cases of these Three Ships, doth give Satisfaction to your Lordships in point of Judgment, That they with their Lading were lawfully taken, and might as justly have been detained: And it did at first seem something strange to us, that your Ambassadors should interest themselves in the Ships, Goods, and Persons of Men in Rebellion against the Parliament. But because they affirmed that those Three Ships were taken in Places within the Buoys of that State, and represented the same as an Infringement to the Liberties, and Derogation to the Honour of that State; although it appeared by your own written Laws, then produced to your Ambassadors, That the taking of those Ships and Goods in those Places, did not render them no Prize; but was only a Personal Offence in the Taker to your State, for which he had received Punishment in your State: Yet we being unwilling to allow of any Act that might in the least manner prejudice either the Honour or Interest of that State, our Ancient Friends and Allies, and to Demonstrate how careful we were in all Things to a good Compliance, not only yielding to Restitution of those Three Ships, with Damages, but also, out of special Respects unto their Lordships, caused the said Mr. *Tho. Sharper* to be released out of Prison where he lay, and his Person delivered up to their Lordships for their Disposal.

The Resolutions of the Committee concerning Restitutions of these Three Ships, delivered on the 30*th* of *August*, 1644. to your Ambassadors in writing, were in *hæc verba*:

Die Veneris, 30. *Augusti*, 1644.

'WE find that the Ship (*Paul*) with her Lading is already restored unto the Owners, by Sentence in the Admiralty Court, and no Damages, was demanded.

'As for the *Thomas Bonaventure*, we are contented to make Restitution of the Ship with her Lading, with Damages.

'And as to the *Golden Faulcon*, or *Parrot*, we find the Ship and her Lading disposed of, and sold, according to the Judgment of the Admiralty-Court; wherefore we are contented to restore the Value of the Ship and Goods, with Damages: We expecting to receive the like Satisfaction from that State, in Cases of the like Nature.

'Resolved, That the pretended Damage for the *Paul*, is to be made appear by Proofs in the Court of Admiralty, to be transmitted to this Committee, and here adjudged.

But your Ambassadors, not willing to receive Contentment by this so clear Answer, held the Committee in dispute many Weeks, to the great Obstruction of the more publick Affairs of this Kingdom, pressed for a further Answer; which the Committee among other Things delivered them, *Sept.* 23. 1644.

'The Committee doth now further add concerning the said Ship the *Paul*, That it is already agreed, the 30*th* of *August*, 1644, upon Debate then had between the said Lords Ambassadors, and the said Committee, That the Damage for the Ship, the *Paul*, is to be made appear by Proofs in the Court of Admiralty, to be transmitted to this Committee, and here adjudged; which this Committee doth now *de Novo* assent unto, that it shall be performed. And for the said Ship the *Golden Faulcon*, *alias* the *Parrot*, and her Lading, which are already sold away and gone, they are, as for-

Ann. 1645. 'merly they were, contented to restore the Value of the said Ship and 'Goods, with Damages; the Value and Damages to be made appear by 'Proofs to be made and taken in the said Court of Admiralty, to be trans-'mitted to this Committee, and here adjudged. And they further add, 'That the Damages, if any be, which must be satisfied for the Goods in 'the *Tho. Bonaventure*, must likewise be made appear by Proofs made and ta-'ken in the said Court of Admiralty, and transmitted to this Committee 'and here adjudged.

Notwithstanding these several Answers inviting your Ambassadors to enable us to do them Justice, yet to this Day there hath not been any Proofs, made of the Value and Damages pretended in any the Ships aforesaid, whereby we might make Satisfaction accordingly.

My Lords; By what is here faithfully set down to have been transacted, touching the Restitution of those Ships suggested to be belonging to that your State; your Lordships upon Consideration of all the Circumstances, may clearly see how extraordinary our Compliance hath been therein, and truly such wherewith we hoped to have greatly Merited of your Lordships, and have given full Contentment and Satisfaction to the Desires of your Ambassadors: But contrary to our Expectation, they (as though they intended nothing more than to beget Disputes and Differences presented certain Notes or Papers of Damages delivered unto them by the interessed Complainants; and insist, That Damages must be Liquidated, and Satisfaction given, according to the Demands in those Papers, and that without further Proof or Dispute.

These Papers our Committee, according to our former Resolutions, desire to refer to the High Court of Admiralty of this Kingdom, there to receive a Legal Proof, that all Parties interessed might be heard to the same. This, though most Reasonable and Consonant to the Rules of Justice, and Practice of all Countries, was by them utterly Refused and Denied, and thereupon Protestations made by them against us.

My Lords; Having in several Meetings spent many Weeks for the Transacting the Business concerning the four former Ships, suggested to belong to that your State; we proceed to the Consideration of those Ships and Goods that concerned the Private Interest of particular Men: Where in the first Place your Ambassadors demanded Restitution of the *Tyger* of *Rotterdam*, with her Lading, affirming her to belong to one *Martin de Reuz*, and Partners, all Natural-born *Dutchmen*; and offered to Produce some Writings signed in *Holland*, to prove the same: Whereupon that Committee intending nothing more than to give all manner of Satisfaction, did cause the Officers of the Admiralty-Court of this Kingdom to attend them at their next Meeting; who in their Lordships Presence Produced the Record of the Proceeding in that Cause; by which it did evidently appear, That by the Judicial Proceedings of that Court, all Favour had been shewed unto those of your Subjects who made the least Colourable Pretence to the Ship, or for any of the Goods belonging to your State: And the Remainder, by pregnant Proof of Witnesses upon Oath, were condemned as belonging to *Ford* and Others, Subjects of this Kingdom, Men very active against the Parliament. But their Lordships not willing to receive Satisfaction therein, did with some Passion inveigh against the Proceedings of that Court, and pressed somewhat affectionately for a further Answer in writing; which at their next Meeting, *viz.* 18. *Sept.* 1644. was accordingly delivered in *hæc verba*:

An Answer to the Demand of the Lords Ambassadors from the High and Mighty Lords, the States-General of the United Provinces of the Netherlands, *of Restitution of the Ship the* Tyger *of* Roterdam, *with her Goods and Lading.*

'First, That this is the Fifth particular Ship and Goods, upon which the 'Treaty hath been between their Lordships and the Committee of 'Lords and Commons; and that all the Four former Ships and their La-'dings, by the Consent of the said Committee, out of the Desire of the said 'Committee to comply with the said Lords Ambassadors, especially for that

'all

'all the said Four were wholly of Publick Interest, have been and are to be 'restored, according to their Desire; and that they shall be as forward to 'agree to the restoring of the *Tyger* and all her Lading, although this be of 'private Interest, as their Lordships Desire is, when they shall find just Cause.

'Secondly, That the said Ship, and so much of the Goods as the Master 'of her, *Cornelius Leinderson Valk*, would take his Oath were his, and so 'much of the Goods as were claimed by him, and sworn by him to be the 'Goods of any *Hollander*, were ordered to be restored in the Court of Ad-'miralty, without any further Proof, and without naming any *Hollander*, 'whose the said Goods were.

'Thirdly, that all the remainder of the Goods were proved in the Court 'of Admiralty to be the Goods of Mr. *Yard*, Mr. *Ford*, Mr. *Baynam*, *En-'glishmen*: First, By the Deposition upon Oath of the said *Cornelius Leinderson 'Valk*, taken first by the Lord High Admiral of *England*, and afterwards by 'the Judge of the Court of Admiralty. Secondly, By the Acknowledgment 'of the said Mr. *Cornelius Leinderson Valk*, after his said Examinations upon 'Oath, to *John Isaac*, Servant to the said Mr. *Ford*, That the said Goods 'were laden for them at *Roterdam*, consigned to them at *Dartmouth*: To 'which Acknowledgment the said *John Isaac* hath deposed upon Oath in the 'said Court.

'Thirdly, By divers other concurring Evidences deposed of in the said 'Court by the said *John Isaac*, to be by him written and sent to *Roterdam*, 'to *Richard Ford*, Brother of the said Mr. *Ford*; and by a Letter sent from 'the said *Baynam* to the Earl of *Newcastle*.

'Fourthly, Whereas the Lords Ambassadors object, That the said Proceed-'ings in the Admiralty were Illegal, because no Citation proceeded, no Ad-'verse Party was first called: We Answer, A Citation, *per Edictum*, to call 'all Parties whatsoever, interessed in the said Ship and Goods, was set up 'publickly upon the *Exchange*, the 21*st* Day of *May*, 1644. the Place for 'their Appearance named in the said Citation; the said Citation was there 'returned, and accordingly all such Parties publickly called; and no Body 'appearing to make Claim to any of the said Goods, they were all condemn-'ed the Fourth of *June* following, and not before; so as Fourteen days were 'between the Citation and Sentence; and this hath been the usual Course 'of Proceedings in that Court in such Cases, and is as we conceive most 'Legal, and the usual Course of all Courts of the Admiralty of *Holland*, or 'elsewhere in the Christian World.

'Fifthly, Whereas their Lordships have offered to shew some Papers, '(*viz.*) Invoices, Bills of Lading, Polices of Assurance, and some Acts of 'Court, and Entries of the Custom-house, and other Proceedings at *Roter-'dam*, or elsewhere in *Holland*, whereby it may appear (as their Lordships 'say), That all the said Goods belong to *Martin de Reuz*, and Company, 'all *Hollanders*: The said Committee still desiring to shew their extraordina-'ry Forwardness to all good Compliance with their Lordships, notwithstan-'ding the said Goods are already, upon sufficient Proof legally adjudged, 'are contented the Matter to be re-examined in the said Court of Admiral-'ty, between the said *de Reuz* and Company of the one Party, and the Ta-'kers on the other Party; and all the said Papers there exhibited in the 'presence of the Takers of the said Ship, who are to have Power to object 'against them if they can; and that such further Proofs be there made, 'and Examinations taken, as either Party may legally desire: And after 'all this done, all to be transmitted to the said Committee, by them to 'be debated and adjudged according to Right.

'Sixthly, Whereas their Lordships did at their last Meeting with the said 'Committee make Expressions, that they expected that the said Papers 'should be accepted of for full Proof, without further Examination of the 'Business here; and thereupon did offer to protest against the Proceedings 'of the said Committee, if they should not presently agree to the Restitution 'of the said Goods: The said Committee doth hold these Demands to be 'most unreasonable, and no Ways to be yielded unto; and do not doubt 'but their Proceedings will be justifiable to all Persons whatsoever, against 'all such Protestations.

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Ann. 1645. My Lords; We shall now appeal to your Lordship's Judgments, with what Tenderness and Favour in relation to your State, that Court proceeded upon the Ship, and such of the Goods as were claimed under the least Pretence of belonging to any of yours; and what unanswerable Proof they had for Condemnation of the Remainder (with what Confidence claimed by your Ambassadors): Yet to give further Manifestation of all possible Compliance upon your Ambassadors pressing Importunities, and the Petition of *Martin de Reuz* and Company, claiming Property in the same, we were contented to let them have the said Goods at Fifteen hundred Pounds under their true Value; upon this Assurance, That they would prosecute their Claim in the Admiralty-Court, and make their Title and Propriety there appear: Which hath not hitherto been effected, nor hear we any further of their Proceedings in this Case; so that this State are so much clear Losers by that Business.

From this Ship your Ambassadors would have proceeded to the rest: But our Committee taking Notice of the great Expence of Time in the Debate of the *Tyger* and her Lading, and computing by that Rule how many Months would be necessarily spent in the rest, represented the same unto both Houses of Parliament. At this time, my Lords, we were engaged in very weighty Affairs, not only concerning the very Being of these Kingdoms, but also the flourishing of the Evangelick Protestant Religion both in this Kingdom and other Foreign States, (wherein your Lordships and the State had not the least Interest), and upon these weighty Occasions requiring the continual Attendance of all our Members, thought it not reasonable to lay aside these our great Affairs (which we might have done) to have taken up the others into particular Examination. And while this Matter was under Consideration, your Ambassadors, by a Paper dated the 12*th* of *December*, sent unto both Houses Complaint, They could not hitherto obtain Justice: The contrary whereof, by what hath been hereby represented, we hope your Lordships are fully assured.

We therefore, on the former sense of our Affairs, and seeing there was so natural and speedy a way for the receiving of Justice in the Admiralty-Court, where the Demands had received some Proceedings, returned them our Answer; *That we hold it fit that the Parties Complainants should have free liberty to prosecute their Interests in the High Court of Admiralty in this Kingdom, for such as had not been before that time sentenced; or by way of Appeal for such as had been adjudged there.* In which Courts we should have taken Care for Right to be done them with all Expedition. The Parliament still reserving and engaging themselves by Promise to supply any Defects of Justice in any the said Courts, upon further Treaty thereon with your Ambassador; the Equity of which Course and Form of Proceedings, we shall not need here to insist on, it being observed by your Lordships, and all other States and Republicks in *Europe*.

And as we thus endeavoured by all Means both Just and Honourable, the removing of Obstruction, and clearing all Misunderstandings for the time past, so no less careful were we for the maintenance of Amity and a good Correspondence for the time to come: And thereupon taking into Consideration your Ambassadors Desires of free License to the Merchants of your State, for the withdrawing of their Goods from the Parts and Places under the Power of the Enemy in Rebellion against the Parliament, did by a Publick Declaration, dated the 30th of *August*, 1644. provide, 'That notwith-'standing our former Ordinance, it should and might be lawful to and for 'any Foreigner or Stranger, Subject to any Prince or State in Amity with 'his Majesty, with such and so many Ships or other Vessels as should be need-'ful to sail or go unto the Ports or Harbours of *Exeter*, *Bristol*, *Falmouth*, '*Topsham*, or any other Port or Place in this Kingdom of *England*, in De-'fection from the King and Parliament; and from thence by all lawful 'Means and Ways to withdraw, transport, and carry away their Goods and 'Estates: ' Which Advantage notwithstanding, at the same time by that Declaration we denied to the best-affected Subjects of this Kingdom.

My Lords, This Declaration was printed and sent unto their Lordships; who not contented with that Freedom, though granted upon (and full unto) their own Demands, make new Desires, as from your Lordships, for an ab-

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solute Free Trade and Commerce. We still persisting in our constant Resolutions in all Things to correspond, resumed the Matter into Consideration: But in regard of the Weight and great Consequence thereof, have not yet given any Resolutions or Conclusions; which we hope in some short time so to do, as may give Satisfaction to your Lordships and all the World. 21 *Caroli.*

My Lords, Since the Conclusion of the whole former Negotiation, your Lordship's Ambassador in Ordinary, Sir *Albertus Joachimi*, at an Audience in both Houses of Parliament, on the 2*d* of *May* last, did by express Order from your Lordships, as he affirmed, represent unto us your good Affections to the Prosperity of this Kingdom; whereof, as we have ever been fully assured, so we shall never cease to set a very high Esteem both on yourselves and it. At that time he likewise acknowledged, That true it was, some Ships formerly demanded by the late Extraordinary Embassy, were discharged, but not restored in the State they were when they were taken; and upon the whole desired, That the Ships and Goods taken, and yet detained, might be restored; and all interessed by Reason of the said taking and detaining, might be indemnized of all Expences, Damages, and Interests, which they have suffered and shall suffer.

This we having taken into our serious Consideration, and upon perusal fear that our Proceedings have not been truly represented to your Lordships by your Extraordinary Ambassadors; but hope that upon your Lordships View of the aforegoing Passages, you will be most abundantly satisfied, That nothing hath at any time been wanting on our Parts fairly to answer these Demands in all the Particulars; but the Fault must wholly rest on the Complainants, in being wanting to themselves, when Means and Ways of Redress were and still are offered; with this our further Protestation, That if we knew any such Expedient for their Relief and Dispatch, we should most readily condescend thereunto.

My Lords; In Sum, The *Utrecht*, though bound with Ammunition to an Enemy's Port, is restored: The *Thomas Bonaventure*, though belonging to Persons in Rebellion; The *Golden Parrot*, though having furnished the Enemies with Arms; The *Paul*, though going with Corn for their Assistance, are all assented to be restored, or the Value of them, with Damages legally proved: The Master of the *Thomas Bonaventure* released: The Goods of the *Tyger* delivered to the Claimers, though Fifteen hundred Pounds loss accrue thereby to this State, and themselves never so much as endeavoured to make good their Claim to this Day: All other Demands put into a Legal way for a Relief in a Court of Justice, would your Ambassadors have acknowledged the Courts of Justice under the Power of the Parliament, which they from time to time refused, though to the Prejudice of their own Claims, and Parties interessed. But, my Lords, we must tell you, That the Men who have traded in the Enemies Ports, have added Fuel to our Intestine Fire; and should your Lordships by your Wisdom prevent them for the future, it may with God's Blessing, be a Means much conducing to the Re-establishment of Peace amongst us.

My Lords, Having thus cleared all Things that concerned your Lordships or your State, in the Point of Restitution of your Ships or Goods, and of Free Trade; It is most reasonable for us to reflect upon ourselves, and the well-affected Merchants of *Great Britain* and *Ireland*, adhering to the Parliament; who all this while, and long before, have and still continue languishing, by Damages and Wrongs done them by the Subjects of your State. The Claims of this nature our Committee did receive from the Parties Complainants, (Copies whereof are hereunto annexed,) and by our Order delivered the same to their Lordships the Extraordinary Ambassadors, who returned this Answer, *That they had no Power to treat upon the same, but would represent to your Lordships their Masters and Superiors.*

My Lords, We shall not inform you to how vast a Sum these our Claims amount; they will sufficiently speak for themselves: We shall only say this, That as in all Causes concerning your State, we have taken special Care for Justice to be impartially administred with Dispatch; so we desire (yea, we are confident) that your Lordships will take the said Complaints of Wrongs done unto the Subjects of these Kingdoms by yours, into your serious and speedy

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ſpeedy Conſideration, and adminiſter them equal Juſtice and Proceedings to the World: So will it more and more oblige this our Nation to continue and perpetuate the moſt neceſſary and indiſſolvable Bond of Union and Amity between us.

An Abſtract of the particular Complaints from divers of the Engliſh *Nation, Subjects of this Kingdom, of the Injuries, Wrongs, and Damages, done unto them by the Subjects of the* United Provinces: *Which Complaints have been, according to ſeveral Orders of the Houſes of Parliament, preſented to the Committee of Lords and Commons of Parliament, appointed to treat with the States Ambaſſadors, touching detaining of Ships and Goods: For all which Wrongs and Damages, it is demanded in the Names of the Lords and Commons of the Parliament of* England, *That due Reſtitution and Satisfaction be made, according to the ſeveral Petitions.*

'WIlliam Courteen, Eſq; That his Ship the *Bona Eſperance* of *London*, being laden with the ſaid *Courteen*'s Goods, and with certain other Goods and Monies of the *Portugals*, (with whom the ſaid States had proclaimed Peace in *India* with Drum and Trumpet, according to the Agreement made long before between the King of *Portugal*, and the ſaid States here in *Europe*) was upon the *26th* of *June* 1643. ſailing upon her Voyage from *Goa* to *China*, in the Streights of *Malaca*, aſſaulted by Two Ships belonging to the *Dutch Eaſt-India* Company; and after a bloody Fight, and divers of the Company of the ſaid *Bona Eſperance* ſlain, ſhe and all her ſaid Lading and Goods were ſeized upon by the ſaid Aſſaulters to their own Uſe, and the Men in her moſt inhumanely uſed: Which Ship might elſe have returned into *England*, and might have been worth to the Petitioner at leaſt 60000 *l.*

'*Robert Moulton* of *Redriff*, Clench of *Ipſwich*, *Goſnal* of *Ipſwich*, *Chaplayn* of *Ipſwich*, and ſome others, all Owners of the ſaid Ship the *Bona Eſperance*, make the ſame Complaint for the Loſs of their Ship, the Value of the Ship Five Thouſand Pounds, and for the Loſs of their Fraight, which comes to 5000 *l.* more.

'*William Pennoyer*, and *Richard Hill*, both of *London*, Merchants; That according to an Agreement made by them with the Committee of Lords and Commons in Parliament, for the Safety of the Kingdom, the *27th* of *December* 1642, they bought for the Service of the Parliament in the Territory of *Liege*, a Parcel of Arms, which they brought down in the Veſſels into the Port of *Dunkirk*, in *July* 1643, from thence to be tranſported into *England*; but the then Admiral of the States Fleet, *Minhier d' Wit*, then riding before *Dunkirk*, being informed of the Premiſes, refuſed to let them paſs, but threatned to take or ſink them, if they offered; notwithſtanding Letters delivered to him from the Lord Admiral of *England*, to the ſaid Admiral of the States Fleet, to procure their free Paſſage; avowing the Arms to be for the Uſe of the Parliament. After this the Lord Admiral of *England* writ other Letters to the ſame Purpoſe to Sir *Haperſon Trumpe*, then Admiral of the States Fleet lying before *Dunkirk*, to procure the free Paſſage of the ſaid Arms, but could by no Means effect it; but quite contrary to the Deſire of the ſaid Lord Admiral of *England*, the ſaid Arms then laden in two Free *Engliſh* Bottoms, and bound for *London*, were taken by the ſaid Sir *Haperſon Trumpe*, about the 16th of *May* laſt, and ſent into *Zealand*, and there detained, notwithſtanding the Houſe of Commons by their Letters, and Agent, and the Committee of Parliament of both Kingdoms, declared to the States-General, and to the States of *Zealand*, that the ſaid Arms were bought as aforeſaid for the Service of this Kingdom. The Value of the Arms 8000 *l.* The Charges occaſion'd by the Stay of them 1500 *l.* The Intereſt Mony 700 *l.*

'*Vincent de la Barre*, of *London*, in behalf of himſelf and Company: That about *July* 1639, their Ship the *Black Buck* of *London*, being then near the Iſle of *Maderas*, ſailing towards the *Canaries*, was in a Hoſtile manner aſſaulted, and forcibly taken and carried away by Captain *Henrick Claeſſen Swaert*, and Company, being all *Dutchmen*, in a Ship called the *Hope* of *Amſterdam*; and notwithſtanding they have both by Legal Proceedings in *Hol-*

'land, and by several Intercessions from and by this State, done their best 'Endeavours, and used their best Means, yet have they received no Restitution at all: The Loss amounting to 12000 *l.* 21 *Caroli.*

'Captain *Whetstone*: That about *February* last, 1643. he having taken at 'Sea, (*viz.*) within the Buoys near the *Brill*, but out of Command of any 'Ship or Fort of the States, a *Scarborough* Ship, called the *Margery*, Master '*William Cooper*; which Ship sailed from *Scarborough*, bound for *Rotterdam*, 'laden with Lead, Cloth, Sheep-skins, and some Money: After they had 'taken her, Two *Holland* Men of War, ordered by the *Dutch* Admiral *Van-Trumpe* so to do, took the Prize-Ship from Captain *Whetstone*, carried his 'Ship the *Cygnet* into the *Brill*-Peer, and there took his Sails from the Yard, 'and carried away the Rudder: After Two Months Trouble and Attendance, the *Cygnet* was discharged without any Satisfaction at all for the 'Prize; the Value whereof was 6000 *l.*

'Captain *Zachery*: That about the beginning of *March* last, 1643. he riding with his Ship at the *Fly* in *Holland*, and having before taken Two '*English* Prizes, (*viz.*) one whose Captain was *Hickson*, which 'came from *Scarborough*, and was bound for *Amsterdam*, laden with Cloth, 'Lead, Wools, and some Moneys, all to the Value of 7000 *l.*; the other 'a Ketch laden with Ammunition, bound for *Scarborough*, from which Port 'she first came, to the Value of 50 *l.* was surprized by Three States Men of 'War, Captain *John Vanger* being Commander of them all; who shot Forty Pieces of Ordnance at him, and commanded him aboard their Ships, 'and took his Sails from his Yards, and carried them ashore to the *Fly*, and 'carried him to *Amsterdam*, and there kept him close Prisoner Eleven Weeks, 'without Restitution of the said Prizes, or any Part of them.

'The Town of *Yarmouth*: That the 2d of *July* last, 1644. Three States 'Men of War gave Chase to one *Peter Carline*, Captain of a *Dunkirker*, and 'drove the said Frigat into the Haven of *Yarmouth*, and followed them into 'the said Haven, and there made several Shots at the said Frigat, and killed 'Two of her Men, and wounded more; and divers of the Shot coming on 'Shore, killed one of the Townsmen of *Yarmouth*, and like to have spoiled 'many more; and after this boarded the said Vessel in the said Haven, and 'carried her with her Commander, and all his Company into the Road of '*Yarmouth*; where she was afterwards rescued by one of the Parliaments 'Ships, being at that time in the said Road, with some Help from the said 'Town.

'*Ann Powlet*, Widow of *Robert Powlet*, Gent. That in *Jan.* 1644. the said '*Robert Powlet* and his Partners were Pyratically robb'd of a Ship called the '*Dove* of *Minhead*, and also of a *Portugal* Prize, with Store of rich Goods, 'by one Captain *Cornelius Skint*, in a Ship called the *Peter* of *Rotterdam*, and 'carried thither, and there disposed. And notwithstanding the said *Robert Powlet* used his best Endeavours both by Legal Proceedings, and by Intercession of Agents of this State, in his Majesty's Name and otherwise, yet 'no Restitution and Satisfaction can be obtained.

'*Roger North*, Esq; That one *Henry Jacobson* dying in *Flushing*, and being 'indebted to him the said *North*, he commenced a Suit against the Widow 'of the said *Jacobson*, before the Magistrates of *Flushing*, and there appeared 'due to him 219 *l.* 15 *s.* and 7 *d.* which Sum was brought in before the 'said Magistrates; but before the said *North* could obtain the said Money, 'the Bayliff of the Prince of *Orange* arrested the same, and keepeth the same 'from the said *North*, upon this only Pretence, That the said *Henry Jacobson* 'dying Intestate, the said Money belonged to the said Prince; and so it was 'by the said Magistrates sentenced.

'The Merchants of *Dover*: That in *September* 1644. a Bark called the '*Fortune* of *Dover*, *Lawrence Brown* Master, having taken in her full Lading 'of Piece Goods at *Ostend*, to be delivered at *Dover*, the said Ship and Goods 'coming from *Ostend* with the safe Conduct of a Convoy-Ship of this State, 'was notwithstanding surprized at Sea, by a Ship of the States of *Holland*, 'whereof *Adrian Galrice* was Commander, and carried to *Rotterdam*, where 'the said Ship, Goods, and her Mariners remain without Restitution; although the Lord High Admiral of *England*, making Complaint thereof to

Ann. 1645. 'your Lordships, received Answer, That you would write effectually to the 'States of *Holland*, that Satisfaction might be given to content: Yet are the 'Mariners there imprisoned, and threatned to continue so; unless they will 'affirm the Ship and Goods to belong to *Flemings*; and promised Reward if 'they will so affirm. The Value of the Ship and Goods is 15000 *l.* and 'Damages 2000 *l.*

'*John Marston*, of *London*, Merchant: That upon the *26th* of *September*, '1639. there was riding at Anchor in the Road of *Margaret*, within Musquet-shot of the Fort there, Two *English* Ketches, Masters *Roger Joyner* and '*Sturgeon*, both freighted by Order of the said *Marston*, with *Spaniards*; and about Twelve a-Clock of the same Day, there came into the same 'Road a Frigat or Ship of War, belonging to the States, Captain *Peter* '*Johnson* of *Roterdam*, having the King of *England*'s Ensign on the Poop, 'the Union-Flag on the Boldsprit-end, and a Pendant on the Main Mast-'end; and being within Pistol-shot of the said Ketches, did then and there 'discharge two Musquets, and forthwith boarded them; and having entred 'his Men, weighed their Anchors, and did violently carry the said Ketches 'and Soldiers aboard his own Ship, and that Night set sail for *Zealand*. 'The Damage sustained thereby by the said *Marston*, is valued at 1600 *l.*

'*James Gibbons* Merchant-Adventurer: That in *November* 1637. there 'came consigned unto him from *London* to *Roterdam*, in the *Elizabeth* of '*London*, *William Adkinson* Master, one Pack containing 17 *English* Coloured 'Cloths, which being arrived, were truly entred in the Custom-house: And 'there was in the Ship another Pack directed to one *Robert Velthusen*, a Mer-'chant of *Roterdam*; who having secretly unladen the same by Night out of 'the said Ship, to defraud the State of their Due, the Ship-Master was there-'upon accused by the Advocate Fiscal in the Court of Admiralty, and 'by Sentence of Court condemned in the Forfeiture thereunto belonging: 'After which the said Council did take the said *Gibbons*'s Pack out of the 'said Ship instead of the said *Velthusen*'s, and caused the same to be sold with 'great Loss, without hearing the said *Gibbons*; nor could the said *Gibbons* 'ever since procure Restitution of the same.

'*John Wood* of *London*, Merchant: That he having this last Year set out 'for the Coast of *Guinny* the Ship *Star*; The Merchant of the said 'Ship, in prosecution of the Voyage, went to the Port of *Cormantine* on the 'Gold Coast in *Guinny*, where he found the *Dutch* had combined with the 'Natives of the Country to have clean expelled the *English* from their own 'Factory; Which had been effected, to the very great Damage of the said '*Wood* and the whole *Guinny* Company, had not that Ship arrived that very 'Day at that Port. And afterwards the said Ship coming to the Island of 'St. *Thome*, to recover again Debts due to the said *Wood*, wherewith the 'Ship was to be re-laden; the Governor of the Island for the *States-General* 'commanded the *Portugals* Debtors not to pay any of their Debts unto the '*English*, although they were both able and willing thereunto; whereby 'the said Ship returned home dead Freight.

Besides all these, we have received from the *East-India* Company of *London*, and the *Muscovy* Merchants of *London*, by their several Petitions, Complaints of divers great Wrongs and Damages of great Value done to them by the *Dutch*, Subjects to the said States of the *United Provinces*; which we do not here set down, because they are of a longer Date, and are or have been depending under Debate before Persons thereunto particularly authorized and appointed; and we expect that in due time Right will be done.

Die Lunæ, 15. Sept. 1645.

Ordered, by the Commons assembled in Parliament, That the Declaration concerning Reprisal of Ships sent into the United Provinces, *be forthwith Printed in* Dutch *and* English; *and that the Committee of the Navy do take care of Printing the same.*

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The Assembly of Divines in the beginning of this Year had address'd to the Parliament, That Persons Ignorant and Scandalous might be suspended from the Sacrament, and might be excommunicated: Which occasion'd great and long Debates in the House of Commons about the same: And amongst the rest, the Learned Mr. *Selden* delivered his Opinion somewhat to this Effect: 21 *Caroli.*

Mr *Selden's* Speech touching Excom. and Suspension from the Sacrament.

THat for 4000 Years there was no sign of any Law to suspend Persons from Religious Exercises: For under the Law every Sinner was *eo Nomine* to come to offer as he was a Sinner: And no Priest or other Authority had to do with him, unless it might be made appear to them, whether another did repent or not; which was hard to be done. Strangers indeed were kept away from the Passover; but they were Pagans, and such as were not of the *Jewish* Religion: The Question is not now for keeping away Pagans in Times of Christianity, but Protestants from Protestant Worship. No Divine can shew that there is any such Command as this to suspend from the Sacrament. If after Christ suffered, the *Jews* had become Christians, the same Ground upon which they went as to their Sacrifices, would have been as to the Sacrament; and certainly no Way nor Command to keep any one from partaking of it. No Man is kept from the Sacrament, *eo Nomine*, because he is guilty of any Sin, by the Constitution of the Reformed Churches, or because he hath not made Satisfaction: Every Man is a Sinner; the Difference is only, the one is in Private, and the other a Sinner in Publick: but the one is as much against God as the other. *Dic Ecclesiæ* in St. *Matthew*, was the Courts of Law which then sat in *Jerusalem*. No Man can shew any Excommunication, till the Popes, *Victor* and *Zephorius*, (200 Years after Christ) first began to use it upon Private Quarrels: Thereby it appears, Excommunication is but Human Invention; it was taken from the Heathen.

And Mr. *Whitlock* made the following Speech:

Mr. *Whitlock's* Speech on the same Subject.

Mr. Speaker.

THE Assembly of Divines have Petitioned and Advised this House, That in every Presbytery or Presbyterian Congregation, the Pastors and Ruling Elders may have the Power of Excommunication, and of suspending such as they shall judge Ignorant or Scandalous Persons from the Sacrament. By *Pastors*, I suppose they mean themselves and others, who are or may be Preachers in the several Congregations, and would be Ἐπίσκοποι, Bishops or Overseers of these Congregations. By *Ruling Elders*, I take their Meaning to be a select Number of such as in every one of those Congregations shall be chosen for the Execution of the Church-Government and Discipline therein respectively. They may properly enough be called *Pastors*, from our Saviour's Charge to his Disciples, *Pasce Oves meas*, *Feed my Sheep*; so that a Pastor is to feed those committed to his Charge with Spiritual Food, as the Shepherd feeds his Flock with Temporal: But if so, how improper then will it be, for those who are to feed the Flock, to desire the Power to excommunicate any, to keep them from Food; to suspend any from the Sacrament; to drive them from feeding on the Bread of Life; to forbid any to eat of That, whereof Christ the great Shepherd of our Souls hath said *Take, Eat*, &c. or to prohibit whomsoever they shall judge unworthy, when our Saviour himself said, *Drink ye all of this.* And St. *Mark*, *Chap.* 14. saith, *They all drank of the Cup*; though *Judas* was one of them?

In the Old Testament; *Ho every one that thirsteth, come ye to the Waters; and he that hath no Money, come ye, buy and eat; yea, come, buy Milk and Wine, without Money, and without Price*; saith the Prophet *Isaiah*: Yet now his Successors would be authorized to say to some Persons, *You do not thirst*, tho' themselves say they do; and do deny them Milk and Water, Bread and Win, when they seek and request it; surely therefore it is not proper for Pastors, for Feeders of Flocks, to deny Food to any of their Flock who shall desire it. But some have said, That it is the Part of a good Shepherd, if he see one of his Sheep going astray into a Ground where the Grass will bring the Rot, to chase him out of that Pasture: And they apply it to Spiritual Pastors suspending those

Ann. 1645. from the Sacrament whom they fear by the unworthy receiving of it, may eat and drink their own Damnation: This may be a charitable Simile, but will hardly be found a full Anſwer: For it is not the receiving of the Sacrament, but the Unworthineſs of the Receiver, that brings Deſtruction; and whether he be unworthy or not, is not in the Judgment of Paſtor, or any other, but of the Party only who is the Sinner; for no Man can know his Heart but himſelf; and a Commiſſion will ſcarce be produced, for any other Man to be Judge thereof. The Perſon refuſed, may ſay to the Paſtor in this Caſe, *Quis conſtituit te Judicem?* Beſides, the Authority deſired is not only of *Suſpenſion*, but of *Excommunication*, which is a total driving or thundring away of the Party from all Spiritual Food whatſoever. And if a Shepherd ſhall chaſe away his Sheep from all Paſtures, that indeed will bring the Hunger-Rot upon them. Undoubtedly the more ignorant and ſinful Perſons are, the more they have need of Inſtruction; and where can they have it better, than from the Lips of the Learned and Pious Paſtors, which ought to preſerve Knowledge? But it hath been ſaid, That the *Ruling Elders* are to join with them: Let us enquire who they are: In ſome Congregations in Country Villages, perhaps they may not be very learned themſelves, yet the Authority to be given them is ſufficiently great. The Word *Elders* amongſt the *Hebrews* ſignified the Men of greateſt Power and Dignity. The Members of their great *Sanhedrim* were ſtiled *Elders*; ſo were the Princes of their Tribes. The *Grecians* had the Appellation in like eſteem; Πρεσβύτεροι which we tranſlate *Elders*, was given to their greateſt Men; and from thence is fetch'd the Name of *Presbyters*, or *Prieſts*, *Presbytery*, and *Presbyterian* Government. The *Phœnicians*, *Tyrians*, and other particular Nations, uſed the Word *Elder* in the like Senſe, and ſtiled their Generals and Princes by the Name of *Elders*. The *Romans* did the like; their *Senate* and *Senators*, came all from *Senes*, *Elders*: And from them to this Day the *French*, *Spaniards*, and *Italians*, retain the Titles of *Seigneur*, *Seigniori*, *Seniori*, and the like, for their greateſt Men. And in *England*, we give the Name of *Earls* to our great Lords, from *Elder*; and to the King himſelf the Title of *Sir*, abſtracted from *Seigneur*, an *Elder*. In Towns they ſtill keep the Title of Aldermen, that is, *Eldermen*, for the Chief and Rulers of the Corporation: And ſo they may allow the Title of *Elders* to the chief and ſelect Men of every Presbytery: Yet if this Power of *Excommunication* and *Suſpenſion* be allowed them, they may well challenge the Title of *Elders* in the higheſt Signification. The Power of the Keys is a great Power; the *Romiſh* Church will acknowledge it, and the Foundation of their Supremacy to be built upon it: Whatſoever they bind or looſe on Earth, to be bound or looſed in Heaven, is a Power that may claim the higheſt Title imaginable.

And though I can never preſume that the Reverend and Pious Learned Gentlemen who aim at this Power, can have the leaſt Suppoſition of any ſuch Effect by it; yet if any Petitioners ſhould ſue to you to be made Judges or Juſtices, I believe you would judge their Petition the leſs modeſt, and them the leſs fit for ſuch Offices. But to this I make no Application, and I hope none ſhall make any Uſe of it. But I am ſure the Matter here deſired, deſerves great Conſideration: Power is deſired to be given to ſuſpend from the Sacrament two ſorts of Perſons; and Who are they? The *Ignorant* and the *Scandalous?* Now I am ſure that I am a very ignorant Perſon; and I fear we are all more ignorant than we ought to be of the Truths of Chriſt, and ſome more than others; and the moſt Learned, I doubt, may be called in the large Senſe Ignorant. Even perhaps among the Paſtors and Ruling Elders in ſome Places, the moſt Learned may in other Places be adjudged Ignorant. But the more ignorant People are, the more ſome will blame their Paſtors, who ought to inſtruct them, and by private Conference inform them, and rectify their Underſtandings; and that is a good part of Spiritual Food. But to keep an ignorant Perſon from the Ordinances, is no way to improve his Knowledge.

Scandalous Perſons are likewiſe to be Suſpended; and who ſhall be ſaid to be ſcandalous, is to be referred to the Judgment of the Paſtors and ruling Elders. But where a Commiſſion is extant for them to execute this Judicature, will be hard to ſhew. Both Paſtors, and Elders, and People, are all ſcandalous in the general ſenſe; we are all of us groſs Sinners, and our beſt Performances, as far as they are imperfect, are but ſcandalous to the true and ſincere Profeſſion

of the Gospel of Christ. Those who are scandalous Sinners ought to be admonished to forsake their evil Ways, and to amend their Lives; and where can they receive this Admonition, and hope for more Conviction of their Consciences, than by hearing good Sermons, and being admitted to be Partakers of the Holy Ordinances? But to excommunicate them, deprives them wholly of the best Means for their Cure. The best Excommunication is for Pastors, Elders and People to excommunicate Sin out of their own Hearts and Conversations; to suspend themselves from all Works of Iniquity: This is a Power which put in Execution, through the Assistance of the Spirit of God, will prevent all Disputes about *Excommunication* and *Suspension* from the Sacrament. A Man may be a good Physician, tho' he never cut off a Member from any of his Patients: A Body may be very sound, tho' no Member of it was ever cut off: And surely a Church may be a good Church, tho' no Member of it hath ever been cut off. I have heard many Complaints of the Jurisdiction formerly exercised by the Prelates, who were but a few; here will be by the passing of this now desired, a great Multiplication of Spiritual Men in Government. Where the Temporal Sword (the Magistracy) is sufficient for Punishment of Offences, there will be little need for this new Discipline, nor will it be so easily granted.

21 *Caroli.*

The Debate of this Affair, and other Points of Church-Government, took up at Times the Debates of the House for several Months.

The Commons on *Wednesday*, *August* 7. took into Consideration the sending of Propositions for Peace to the King; and passed the following Votes:

Votes for Propositions to be sent to the King for Peace, *Aug.* 7

1. That to declare their Affections to the Peace of the Kingdom, and that there was nothing so much desired by them as a firm Agreement between his Majesty and both Houses, they had concluded that some Propositions or Resolutions tending to a firm and well-grounded Peace, should be sent to his Majesty.

2. That in regard they had met with so many Delusions in the way of Treaty, they would henceforth admit of no Treaty nor Debate by Commissioners.

3. That such Propositions as shall be sent, shall be drawn up into Bills, that so the Royal Assent being desired and had thereunto, they may become Acts of Parliament.

4. That the *Scotish* Commissioners should be acquainted with these their Votes and Resolutions.

After which, the said Votes being at a Conference communicated to the Lords, they concurred therein. And afterwards the Commons appointed the *Tuesday* and *Thursday* in every Week to be set aside for the debating the Propositions intended to be sent; which held them in Hand for many Weeks, even almost to the End of this Year.

An Ordinance of the Lords and Commons assembled in Parliament, for the more effectual putting in execution the Directory for Publick Worship, in all Parish Churches and Chapels within the Kingdom of England, *and Dominion of* Wales: *And for dispersing of them in all Places and Parishes in* England *and* Wales.

An Ordinance for putting the Directory in execution, *Aug.* 23. 1645.

WHereas by an Ordinance of Parliament made the Third Day of *January* last past, and entituled, *An Ordinance of Parliament for the taking away the Book of Common-Prayer, and for establishing and putting in execution of the Directory for the Publick Worship of God*; it was (amongst other things therein contained) Ordained, That the said Book of Common-Prayer should not remain or be from thenceforth used in any Church, Chappel, and Place of Publick Worship, within the Kingdom of *England*, and Dominion of *Wales*; and that the Directory for Publick Worship in the said recited Ordinance set forth, should be from thenceforth used, pursued, and observed, according to the true Intent and Meaning of the said Ordinance, in all Exercises of the Publick Worship of God, in every Congregation, Church, Chappel, and Place

Ann. 1645. Place of Publick Worſhip, within this Kingdom of *England*, and Dominion of *Wales*: Yet nevertheleſs in regard that in or by the ſaid recited Ordinance, there was no ſpecial Direction made or contained for the ſpeedy diſperſing of the ſaid Directory into the ſeveral Pariſhes within the Kingdom of *England*, and Dominion of *Wales*, and publiſhing of the ſame Directory; nor any Puniſhment ſet down either for the uſing of the ſaid Book of Common-Prayer, or for the non-uſing or depraving of the ſaid Directory; by Means whereof there hath been as yet little Fruit of the ſaid Ordinance: The Lords and Commons aſſembled in Parliament, taking the Premiſes into ſerious Conſideration do ordain, That the Knights and Burgeſſes of the ſeveral Counties, ſhall ſend Printed Books of the ſaid Directory for God's Worſhip, fairly bound up in Leather, unto the Committees of Parliament reſiding in the ſaid ſeveral reſpective Counties; who ſhall with all convenient ſpeed ſend the ſame, and cauſe them to be deliver'd unto the ſeveral reſpective Conſtables or other Officers of all the ſeveral Pariſhes and reſpective Chappelries, and Donatives within the Kingdom of *England*, and Dominion of *Wales*, and Port and Town of *Berwick*: (That is to ſay) One Book unto the reſpective Conſtables and other Officers of every one of the ſaid Pariſhes, Chappelries, and Donatives; to be paid for by the Inhabitants within the ſaid ſeveral Pariſhes and Chappelries.

And it is further hereby Ordained by the Lords and Commons, That the ſeveral and reſpective Conſtables or other Officers, ſhall within one Week after their Receipts of the ſaid Books of the Directory, deliver the ſaid Books unto the ſeveral and reſpective Miniſters of the ſaid Pariſhes; upon pain that every of the ſaid Conſtables or other Officers that ſhall make default therein, ſhall forfeit and pay for every ſuch Default, the Sum of Five Shillings of lawful *Engliſh* Money.

And it is further hereby Ordained by the ſaid Lords and Commons, That the ſaid ſeveral Miniſters ſhall on the next Lord's Day after their Receipts of the ſaid Books of the Directory, before the Morning-Sermon openly read in their ſeveral Churches and Chappels, the ſaid Directory for the Publick Worſhip of God.

And it is further hereby ordained by the ſaid Lords and Commons, That if any Perſon or Perſons whatſoever ſhall at any time, or times hereafter uſe, or cauſe the aforeſaid Book of Common-Prayer to be uſed in any Church, Chappel, or publick Place of Worſhip, or in any private Place or Family within the Kingdom of *England*, or Dominion of *Wales*, or Port and Town of *Berwick*, That then every ſuch Perſon ſo offending therein, ſhall for the firſt Offence forfeit and pay the Sum of Five Pounds of lawful *Engliſh* Money: For the ſecond Offence the Sum of Ten Pounds: And for the third Offence ſhall ſuffer One whole Year's Impriſonment, without Bail or Mainprize.

And it is further hereby Ordained by the ſaid Lords and Commons, That the ſeveral and reſpective Miniſters of all Pariſhes, Churches and Chappels, within the ſaid Kingdom of *England*, and Dominion of *Wales*, and Town and Port of *Berwick*, ſhall reſpectively from time to time, and at all times hereafter (as much as ſhall in them lie) purſue and obſerve the Directory for Publick Worſhip, eſtabliſhed by Ordinance of Parliament, according to the true Intent and Meaning thereof.

And it is further Ordained, That every Miniſter which ſhall not henceforth purſue and obſerve the Directory for Publick Worſhip, according to the true Intent and Meaning thereof, in all the Exerciſes of the Publick Worſhip of God, within this Realm of *England*, and Dominion of *Wales*, and within the Town and Port of *Berwick*, ſhall for every time he ſhall ſo offend, loſe and forfeit the Sum of Forty Shillings of lawful *Engliſh* Money. And that what Perſon ſoever ſhall, with intent to bring this ſaid Directory into Contempt and Neglect, or to raiſe Oppoſition againſt it, Preach, Write, Print, or cauſe to be Written or Printed, any thing in the Derogation or Depraving of the ſaid Book, or any thing therein contained, or any Part thereof, ſhall loſe and forfeit for every ſuch Offence, ſuch a Sum of Money, as ſhall at the time of his Conviction be thought fit to be impoſed on him, by thoſe before whom he ſhall have his Trial; provided that it be not leſs than Five Pounds, nor exceeding the Sum of Fifty Pounds.

And be it further Ordained by the Authority aforeſaid, That no Perſon or Perſons

Persons shall be at any time hereafter impeached or molested of, or for any of the Offences last above mentioned, hereafter to be committed or done contrary to this Ordinance, unless he or they so offending be thereof Indicted at the next or second General Sessions, to be holden before any Justice of *Oyer* and *Terminer*, or Justices of Assize, or before the Justices of the Peace at their General Quarter-Sessions next after any Offence committed or done, contrary to the Tenor of this Ordinance; and that he be thereof lawfully Convicted, according to the Laws of this Realm, by Verdict of Twelve Men, or by his own Confession.

Provided also, and be it ordained by the Authority aforesaid, That the Lord-Mayor of *London*, and all other Mayors, Bayliffs, and all other Head-Officers of all and singular Cities, Boroughs, and Towns Corporate, within this Realm, and Dominion of *Wales*, to the which Justices of the Assize do not commonly repair, and that have Commissions of Goal-delivery directed to them, or are Counties of themselves, shall have full Power and Authority by Virtue of this Ordinance, to enquire, hear, and determine the Offences aforementioned, and every of them, Yearly, within Fifteen Days after the Twenty fifth Day of *March*, and the Nine and twentieth Day of *September*, in like manner and form as Justices of Assize, and *Oyer* and *Terminer*, may do.

And it is further ordained by the Authority aforesaid, That all Mulcts and Penalties inflicted by this Ordinance, not exceeding the Sum of Five Pounds, shall be levied and paid to the Use of the Poor of the Parish where the said Offence hath been committed; and that all other Fines exceeding the said Sum of Five Pounds, shall be to the Use of the Poor of the County, City, or Headborough respectively, where the said Offences shall be committed; to be disposed of by the Justices of the Peace, Mayors, or Bayliffs respectively, at the next General Sessions where and when the said Sums shall be adjudged.

It is further ordered and ordained, That all Common-Prayer-Books remaining in Parish-Churches and Chappels, shall within a Month after the publishing of this Ordinance, be by the Churchwardens or Constables of the respective Parishes, under the Penalty of Forty Shillings, to be employed as aforesaid, carried unto the Committees of the respective Counties, where they shall be found, to be disposed of as the Parliament shall direct.

By the KING.

His Majesty's Proclamation concerning the Book of Common-Prayer, and the Directory for Publick Worship.

His Majesty's Proclamation touching the Book of Common-Prayer and Directory, *Nov.* 13. 1645.

WHereas by a Printed Paper dated the Third of *January* last past, entituled, *An Ordinance of Parliament for taking away the Book of Common-Prayer, and for establishing and putting in Execution of the Directory for the Publick Worship of God*; it is said to be ordained, amongst other Things, That the Book of Common-Prayer should not remain, nor be from thence used in any Church or Chappel, or Place of Publick Worship, within the Kingdom of *England*, and Dominion of *Wales*: And that the Directory for Publick Worship in that Paper set forth, should be from thenceforth used, pursued, and observed, in all Exercises of Publick Worship of God, in every Congregation, Church, Chappel, and Place of Publick Worship. And by another printed Paper dated the 23*d* Day of *August* last past, entituled, *An Ordinance of the Lords and Commons assembled in Parliament, for the more effectual putting in Execution the Directory for Publick Worship*, &c. particular Directions are set down for the dispersing, publishing, and Use of the said Directory in all Parishes, Chappels, and Donatives; for the calling in and suppressing of all Books of Common-Prayer, on the several Forfeitures and Penalties, to be levied and imposed upon Conviction before Justices of Assize, or of *Oyer* and *Terminer*, and of the Peace; as by the said Two printed Papers may appear.

And taking into our Consideration, That the Common-Prayer which is thus endeavoured to be abolished, was compiled in the times of Reformation, by the most Learned and Pious Men of that Age, and defended and continued with the Martyrdom of many; and was first establish'd by Act of Parliament in the time of King *Edward* the Sixth, and never repealed nor laid

aside,

Ann. 1645. aside, save only in that short Time of Queen *Mary*'s Reign, and upon the Return of Popery and Superstition. And in the First Year of Queen *Elizabeth*, it was again revived and established by Act of Parliament; and the Repeal of it then declared by the whole Parliament to have been to the great Decay of the due Honour of God, and Discomfort of the Professors of the Truth of Christian Religion; and ever since, it hath been used and observed for above Fourscore Years together, in the best Times of Peace and Plenty that ever this Kingdom enjoyed; and that it contains in it an excellent Form of Worship and Service of God, grounded upon the Holy Scriptures; is a singular means and help to Devotion in all Congregations; and that, or some other of the like Form simply necessary in those many Congregations which cannot otherwise be supplied by Learned and Able Men, and keeps an Uniformity in the Church of *England*. And that the *Directory*, sought to be introduced, is a Means to open the Way, and to give the Liberty to all Ignorant, Factious, and Evil Men, to broach their own Fancies and Conceits, be they never so wicked or erroneous; and to mislead People into Sin and Rebellion; and to utter those things, even in that which they make for long Prayer in their Congregations in God's presence, which no Conscientious Man can assent or say *Amen* to. And be the Minister never so Pious and Religious, yet it will break that Uniformity which hitherto hath been held in God's Service, and be a Means to raise Factions and Divisions in the Church: And those many Congregations in this Kingdom, where Able and Religious Ministers cannot be maintained, must be left destitute of all Help and Means for the Publick Worship and Service of God. And observing likewise, That no Reason is given for this *Inconveniency alledged in the general*; And whether Pride and Avarice be not the Ground, whether Rebellion and Destruction of Monarchy be not the Intention of some, and Sacrilege and the Church's Possessions the Aims and Hopes of others; and these *New Directories* the Means to prepare and draw the People in for all, we leave to him who searches and knows the Hearts of Men.

And taking into our Consideration, That this Alteration is introduced by Colour of Ordinance of Parliament, made without and against our Consent, and against an express Act of Parliament still in force: And the same Ordinances of Parliament made as perpetual binding Laws, inflicting Penalties and Punishments which were never (before these Times) so much as pretended to have been the Use or Power of Ordinances of Parliament, without any express Act of Parliament, to which we are to be Parties. Now lest our Silence should be interpreted by some as Connivance or Indifferency in us, in a Matter so highly concerning the Worship and Service of God, the Peace and Unity of the Church and State, and the Establish'd Laws of the Kingdom; We have therefore thought fit to publish our Proclamation, and do hereby require and command all and singular Ministers, in all Cathedral and Parish-Churches, and other Places of Publick Worship, within our Kingdom of *England*, or Dominion of *Wales*, and all others to whom it shall appertain, That the said Book of Common-Prayer be kept and used in all Churches, Chapels, and Places of Publick Worship, according to the said Statute made in that behalf, in the said First Year of the said late Queen *Elizabeth*. And that the said *Directory* be in no sort admitted, received, or used; the said pretended Ordinances, or any thing in them contained to the contrary notwithstanding. And we do hereby let them know, That whensoever it shall please God to restore us to Peace, and the Laws to their due Course, wherein we doubt not of his Assistance in his good Time, we shall require a strict Account and Prosecution against the Breakers of the said Law, according to the Scope thereof. And in the mean Time, in such Places where we shall come, and find the Book of Common-Prayer suppressed and laid aside, and the *Directory* introduced, we shall account all those that shall be Aiders, Actors, or Contrivers therein, to be Persons disaffected to the Religion and Laws establish'd: And this they must expect, besides the great Loss they shall sustain by suffering themselves to be deprived of the Use and Comfort of the said Book.

Given at our Court at Oxford, *the* 13th *Day of* November, *in the One and twentieth Year of our Reign.*

An

An Ordinance of Parliament for taking away the Fifth Part *of Delinquents Estates, formerly granted their Wives and Children.*

To take away 5th Part from Delinquents Wives and Children, *Sept.* 8.

WHereas by a late Ordinance of Sequestration, it is amongst other things declared and ordained, That the Committees of the several Counties shall have Power to assign Maintenance out of the Lands of Delinquents, to their several Wives and Children, so as the same exceed not the Fifth Part of the Lands or Goods so sequestred: And whereas by Occasion hereof divers Wives and Children of Delinquents may resort hither, only to obtain the said Fifth Part, and may be ready to do Ill Offices to the Parliament: The Lords and Commons, to prevent the said Mischief, and other of like Nature, do ordain, That no Wife, Child, or Children of any Delinquent, who shall come from their own Habitation into the Parliament Quarters, with or without their Fathers and Husbands, from the King's Quarters, shall have, hold, and enjoy any Fifth Part by the said Ordinance. And therefore they do ordain, That all such Allowances hereafter to be made to such Wife or Children, shall be utterly void. And if any such Wife, Child, or Children, shall return from the King's Quarters without Leave of both Houses; The Deputy-Lieutenants and Committees of Parliament in the several Counties, or any Two of them, are hereby Authorized and Required to take Care that they be commanded to return back into the King's Quarters: And if they shall not return upon Command given to them by the Deputy-Lieutenants, or Committee, or any Two of them, they shall hereby have Power to Commit them until they shall give Security to return. And be it further ordained, That no Children of any Delinquents shall have any Fifth Part, but such as shall be Educated and brought up in the Protestant Religion.

Die Lunæ, 8. Septemb. 1645.

A Declaration of the Lords and Commons assembled in Parliament, concerning the Inhabitants of Wales.

Ordinance concerning the Inhabitants of *Wales*, *Sept.* 8. 1645.

WHereas the Lords and Commons assembled in Parliament are informed, That by the subtile and malicious Practices of a Popish and Malignant Party, opposite to God's Cause, and the Prosperity of this Kingdom, it hath been insinuated and infused into sundry of the Inhabitants of his Majesty's Dominions of *Wales*, to disaffect and poison them against the Proceedings of the Parliament, That it was their Intention to gratify our Brethren of *Scotland* for their Assistance in these our Extremities, drawn upon us by the said Popish and Malignant Party, with the Estates and Lands of the said Inhabitants; which is so absolutely false, that it never entred into their Thoughts, and consequently needed no Refutation: Yet that the Subjects of this Kingdom, inhabiting within the said Dominion of *Wales*, may receive full and befitting Satisfaction, and we and our Brethren of *Scotland*, in Vindication against so foul and barbarous an Aspersion, the said Lords and Commons do testify and declare to all Persons whatsoever, to whom these shall come, That they do much abhor and detest an Act of such Injustice and Inhumanity: And that they are so far from doing any such Thing, that if any of the said Inhabitants, upon due Sense and Sorrow for any of their Crimes and Misdemeanors committed against the present Parliament, shall submit, and apply themselves by humble Petition to the Parliament, and desire the Favour of, and Reconciliation to the same, the said Lords and Commons will be thereupon ready to receive any and all such, upon such reasonable Terms, as the Wisdom of the Parliament shall think in some Measure proportionable to the Qualities and Degrees of their several Offences, and thereupon yield them all such Aid and Assistance as they shall reasonably desire, and the Parliament be able to afford. Provided always, That this shall not extend to any that are excepted from Pardon, within the Propositions lately presented to his Majesty for a safe and well-grounded Peace.

Die Veneris 28. *Septemb.* 1645. There pass'd an Ordinance for Paying to the Earl of *Essex*, and settling upon him, Ten Thousand Pounds *per Annum.*

Ann. 1645.

Die Lunæ, 20. Octob. 1645.

An Ordinance of the Lords and Commons assembled in Parliament, about Suspension from the Lord's Supper.

About Suspension from the Sacrament.

THE Lords and Commons considering the wonderful Providence of God in calling them to this great and difficult Work of Reforming and Purging his Church and People, his guidance and manifest Protection of them in it, do acknowledge that never any of his Servants since the Foundation of the World, had more high and strong Engagements heartily and sincerely to endeavour to compleat Establishment of Purity and Unity in the Church of God than they have; they do therefore Require all Ministers and Elders, That they be careful to walk with Understanding in the House of God; That by Example, Exhortations, and Admonitions, they Endeavour to build up the People of the Lords in Love; That with Humility and Meekness of Spirit they adorn their Holy Profession, and win Souls to the love of the Truth; That they be diligent and faithful in the Work, as those that must give an Account. And where gross Ignorance or notorious Scandal shall appear, for the Remedy thereof, and to prevent the Evils that may come thereby, the Lords and Commons do ordain, and it is hereby ordained, That the several Elderships respectively within their respective Bounds and Limits, have Power to suspend from the Sacrament of the Lord's Supper, all Ignorant and Scandalous Persons within the Rules hereafter following, and according to the said Rules and Directions.

Rules and Directions concerning Suspension from the Sacrament of the Lord's Supper, in Case of Ignorance.

1. All such Persons who shall be admitted to the Sacrament of the Lord's Supper ought to know that there is a God; That there is but one ever-living and true God, Maker of Heaven and Earth, the Governour of all Things: That this only true God, is the God whom we worship: That this God is but One, yet Three distinct Persons, the Father, Son, and Holy Ghost, all equally God.

2. That God created Man after his own Image, in Knowledge, Righteousness, and true Holiness: That by one Man Sin entred into the World, and Death by Sin, and so Death passed upon all Men, for that all have sinned: That thereby they are all Dead in Trespasses and Sins, and are by Nature the Children of Wrath, and so liable to Eternal Death, the Wages of every Sin.

3. That there is but one Mediator between God and Man, the Man Christ Jesus, who is also over all, God blessed for ever; neither is there Salvation in any other: That he was Conceived by the Holy Ghost, and Born of the Virgin *Mary:* That he died upon the Cross to save his People from their Sins; That he rose again the third Day from the Dead, Ascended into Heaven, sits at the Right Hand of God, and makes continual Intercession for us; of whose fulness we receive all Grace necessary to Salvation.

4. That Christ and his Benefits are applied only by Faith: That Faith is the Gift of God, and that we have it not of ourselves, but it is wrought in us by the Word and Spirit of God.

That Faith is that Grace whereby we believe and trust in Christ for Remission of Sins, and Life everlasting; according to the Promise of the Gospel, That whosoever believes not on the Son of God, shall not see Life, but shall Perish eternally.

That they who truly repent of their Sins, do see them, Sorrow for them, and turn from them to the Lord; and that except Men repent, they shall surely Perish.

That a godly Life is conscionably ordered according to the Word of God, in Holiness and Righteousness, without which no Man shall see God.

That the Sacraments are Seals of the Covenant of Grace in the Blood of Christ: That the Sacraments of the New Testament are Baptism and the Lord's Supper: That the outward Elements of the Lord's Supper are Bread and Wine, and do signify the Body and Blood of Christ Crucified, which the worthy Receiver by Faith doth partake of in this Sacrament, which Christ

hath likewise ordained for a Remembrance of his Death: That whosoever eats and drinks unworthily, is guilty of the Body and Blood of the Lord; and therefore that every one is to examine himself, lest he eat and drink Judgment to himself, not discerning the Lord's Body. *21 Caroli.*

That the Souls of the Faithful after Death do immediately live with Christ, in Blessedness, and that the Souls of the wicked do immediately go into Hell-Torments. That there shall be a Resurrection of the Bodies both of the just and unjust at the last Day, at which time all shall appear before the Judgment Seat of Christ, to receive according to what they have done in the Body, whether it be good or evil: And that the righteous shall go into Life eternal, and the wicked into everlasting Punishment.

And it is further ordained by the Lords and Commons, That those who have a competent measure of understanding concerning the Matters contained in these Articles, shall not be kept back from the Sacrament of the Lord's Supper for Ignorance: And that the Examination and Judgment of such Persons as shall for their Ignorance of the aforesaid Points of Religion not to be admitted to the Sacrament of the Lord's Supper, is to be in the power of the Eldership of every Congregation.

Rules and Directions concerning Suspension from the Sacrament of the Lord's Supper, in cases of Scandal.

The several and respective Elderships shall have power to suspend from the Sacrament of the Lord's Supper all Scandalous persons hereafter mentioned, appearing to be such upon just proof thereof made, in such Manner as is by this present Ordinance hereafter appointed, and not otherwise, until it be otherwise declared by both Houses of Parliament, how notoriously scandalous persons, other than such as are herein expressed, shall be kept from the Sacrament of the Lord's Supper: That is to say, All persons that shall blasphemously speak or write any thing of God, his holy Word, or Sacraments. An Incestuous person. An Adulterer. A Fornicator. A Drunkard. A prophane Swearer or Curser. One that hath taken away the Life of any Person maliciously. All Worshippers of Images, Crosses, Crucifixes, or Relicks: All that shall make any Images of the Trinity, or of any Person thereof. All religious Worshippers of Saints, Angels, or any mere Creature. Any Person that shall profess himself not to be in charity with his Neighbour. Any Person that shall challenge any other Person by Word, Message, or Writing, to fight, or that shall accept such Challenge, and agree thereto. Any Person that shall knowingly carry any such Challenge by word, message, or writing. Any Person that shall upon the Lord's Day use any Dancing, playing at Dice or Cards, or any other Game: Masquing, Wake, Shooting, Bowling, playing at Foot-ball, or Stool-ball, Wrestling; or that shall make, or resort unto any Plays, Interludes, Fencing, Bull-baiting, or Bear-baiting; or that shall use Hawking, Hunting, or Coursing, Fishing, or Fowling; or that shall publickly expose any Wares to Sale, otherwise than as is provided by an Ordinance of Parliament of the *6th* of *April*, 1644. Any Person that shall Travel upon the Lord's Day, without reasonable Cause. Any Person that keepeth a known Stews or Brothel-house, or that shall sollicit the Chastity of any Person for himself or any other. Any Person, Father and Mother, that shall consent to the Marriage of their Child to a Papist, or any Person that shall marry a Papist. Any Person that shall repair for any Advice unto any Witch, Wizard, or Fortune-teller. Any Person that shall assault his Parents, or any Magistrate, Minister, or Elder, in the Execution of his Office. Any Person that shall be legally attained of Barretry, Forgery, Extortion, or Bribery. And the several and respective Elderships shall have Power likewise to suspend from the Sacrament of the Lord's Supper, all Ministers that shall be duly proved to be guilty of any of the Crimes aforesaid, from giving or receiving the Sacrament of the Lord's Supper.

And it is further ordained by the Lords and Commons, That the Eldership of every Congregation, shall have Power to examine any Person complained of for any matter of Scandal aforesaid; and upon Confession of the Party before the Eldership to have committed such an Offence, to suspend any such Person from the Sacrament of the Lord's Supper. The Eldership of every Congregation shall examine upon Oath such Witnesses as shall be produced before them, either

Ann. 1645. either for the acquitting or condemning of the Party accused of any of the scandalous Crimes aforesaid, not capital. The Eldership of every Congregation shall judge the matter of Scandal aforesaid, being not capital, upon the Testimony of two credible Witnesses at the least. Satisfaction shall be given to the Eldership of every Congregation, by sufficient manifestation of the Offenders Repentance, before a Person lawfully convicted of such matters of Scandal as aforesaid, and thereupon suspended from the Sacrament of the Lord's Supper, be admitted thereunto. If any Person suspended from the Lord's Supper, shall find himself grieved with the Proceedings before the Eldership of any Congregation, he shall have Liberty to appeal to the Classical Eldership, and from them to the Provincial Assembly, from thence to the National, and from thence to the Parliament. And be it further ordained by the Lords and Commons, That the several and respective Elderships in their several respective Proceedings, shall observe these ensuing Cautions.

Caution 1. That cognizance and examination of any capital Offence, shall be by the Magistrate thereunto appointed by the Law of the Kingdom, who if he shall commit the Party questioned to Prison, or secure him or her by Bail, he shall thereof make a Certificate unto the Eldership of the Congregation where he or she did last reside, or to any other Neighbouring Eldership, who shall thereupon have Power to suspend the Party from the Sacrament of the Lord's Supper.

2. The Presbytery or Eldership shall not have cognizance of any thing wherein any matter of Payment, Contract, or Demand is concerned; or of any matter of Conveyance, Title, Interest, or Property, in Lands or Goods.

3. No use shall be made of any Confession or Proof made before the Eldership, at any Trial at Law of any Person for any Offence.

And it is further ordained, That the Members of both Houses that now are Members of the Assembly of Divines, or any Seven of them, be a Standing Committee of both Houses of Parliament, to consider of Causes of Suspension from the Sacrament of the Lord's Supper, not contained in this Ordinance; unto which Committee any Eldership shall present such Causes, to the End that the Parliament, if need require, may hear and determine the same: That if any other notorious and scandalous Sins, besides those nominated in this Ordinance, which may be conceived to be a Cause to suspend from the Lord's Supper, shall be certified to any Classis, either from any Congregational Eldership, or otherwise, which the said Classis shall think fit to present to the standing Committee of Parliament: That the said Classis shall present the same to the said Committee, to the End that the Parliament, if need require, may hear and determine the same.

Die Sabbathi, 8. Novemb. 1645.

An Ordinance of the Lords and Commons assembled in Parliament, for the Ordination of Ministers.

WHereas the word *Presbyter*, that is to say, Elder, and the word *Bishop* do in the Scripture intend and signifie one and the same Function, altho the Title of Bishop hath been by corrupt Custom appropriated to one, and that unto him ascribed, and by him assumed, as in other things, so in the matter of Ordination, that was not meet; which Ordination notwithstanding being performed by him, a Presbyter joined with other Presbyters, we hold for substance to be valid, and not to be disclaimed by any that have received it; and that Presbyters so ordained, being lawfully thereunto appointed and authorized, may ordain other Presbyters. And whereas it is also manifest by the Word of God, that no Man ought to take upon him the Office of a Minister, until he be lawfully called and ordained thereunto; and that the Work of Ordination, that is to say, an outward solemn setting apart of Persons for the Office of the Ministry in the Church, by preaching Presbyters, is an Ordinance of Christ, and is to be performed with all due care, wisdom, gravity, and solemnity. It is ordained by the Lords and Commons assembled in Parliament, and by the Authority of the same, (after Advice had with the Assembly of Divines now convened at *Westminster*,) That the several and respective Classical Presbyters, which in their several and respective Bounds may examine, approve,

approve, and ordain Presbyters, according to the Directory for Ordination, and Rules for Examination, hereafter expressed; that is to say,

First, That he that is to be ordained, must address himself to the Presbytery, and bring with him a Testimonial of his taking the Covenant of the Three Kingdoms; of his Diligence and Proficiency in his Studies; what Degrees he hath taken in the University, and what hath been the time of his Abode there, and withal of his Age, which is to be Twenty four Years at least; but especially of his Life and Conversation.

Secondly, The Presbytery shall proceed to enquire touching the Grace of God in him, and whether he be of such Holiness of Life as is requisite in a Minister of the Gospel; and to examine him touching his Learning and Sufficiency, and touching the Evidence of his Calling to the holy Ministry, and in particular, his fair and direct Calling to that Place to which he is designed.

The Rules for Examination are these:

1. *That the Party examined be dealt with in a brotherly way, with mildness of spirit, and with special respect to the gravity, modesty, and quality of every one.*

2. *He shall be examined touching his skill in the Original Tongues; and that Trial to be made by reading the* Hebrew *and* Greek *Testament, and rendring some Portions of them into* Latin; *and enquiry also shall be made after his other Learning, and whether he hath skill in Logick and Philosophy.*

3. *What Authors in Divinity he hath read, and is best acquainted with; and Trial shall be made of his knowledge in the chief grounds of Religion, and of his ability to defend the Orthodox Doctrine contained in them, against all unsound and erroneous Opinions, especially those of the present Age; of his skill in the sense and meaning of such Places of Scripture as shall be proposed unto him in Cases of Conscience, and in the Chronology of Scripture, and of the Ecclesiastical History.*

4. *If he hath not before preached in publick, with approbation of such as are able to judge, he shall at a competent time assigned him, and before the Presbytery, expound such a Place of Scripture as shall be given him.*

5. *He shall in a competent time also frame a Discourse in* Latin, *upon such a common Place or Controversy in Divinity, as shall be assigned him; and exhibit to the Presbytery such Theses as express the Sum thereof, and maintain a Dispute upon them.*

6. *He shall preach before the People; the Presbytery, or some of the Ministers of the Word, appointed by them, being present.*

7. *The proportion of his Gifts in relation to the Place unto which he is called, shall be considered.*

8. *Besides the Trial of his Gifts in preaching, he shall undergo an Examination in the Premisses Two several Days, or more, if the Presbytery shall judge it necessary.*

Thirdly, after which, he being approved, is to be sent to the Church or other Place where he is to serve, (if it may be done with safety and conveniency), there to preach Three several Days, and to converse with the people, that they may have trial of his Gifts for their Edification, and may have time and leisure to enquire into, and the better to know his Life and Conversation.

Fourthly, In the last of those Three days appointed for the making known of his Gifts in preaching, there shall be sent from the Presbytery to the Congregation, (if it may be done with safety and conveniency) a publick Instrument in writing, which shall publickly be read before the People, and after affixed to the Church-door, to signify such a Day any Member or Members of the said Congregation, or any other Person or Persons whatsoever, or any of them, may put in with all Christian Discretion and Meekness, what Exceptions they have against him: And if upon the Day appointed there be no just Exceptions against him, the Presbytery shall proceed to Ordination.

Fifthly, Upon the Day appointed for Ordination, which is to be performed in that Church where he that is to be ordained is to serve, (if it may be done with safety and conveniency), a solemn Fast shall be kept by the Congregation, that they may more earnestly join in Prayer to God for a Blessing upon the Person and Labour of this his Servant, Solemnly to be set apart to the Office of the Ministry for their good; the Presbytery shall come to the Place, or some Ministers of the Word, at the least, shall be sent from the Presbytery, whereof one shall preach to the People concerning the Office and

Ann. 1645. Duty of the Ministers of Christ, and how the People ought to esteem him for the Works sake.

Sixthly, After the Sermon ended; the Minister which hath preached shall in the Face of the Congregation, demand of him who is now to be ordained, concerning his Faith in Christ Jesus, and his persuasion of the Truth of the Reformed Religion, according to the Scriptures; his sincere Intentions and Ends in desiring to enter into this Calling; his Resolution to be diligent in Prayer, Reading, Meditation, Preaching, Ministring the Sacraments, and doing all Ministerial Duties towards his Charge, his Zeal and Faithfulness in maintaining the Truth of the Gospel, and Purity of the Church, against Error and Schism; his Care that himself and Family may be unblameable, and Examples to the Flock; and his Resolution to continue in his Duty, against all Trouble and Persecution.

Seventhly, In all which having declared himself, professed his willingness, and promised his Endeavours by the help of God; the Presbytery, or the Ministers sent from them, shall solemnly set him apart to the Office and Work of the Ministry, laying their Hands on him, with a short Prayer or Blessing, to this Effect.

*Thankfully acknowledging the great Mercy of God in sending Jesus Christ for the Redemption of his People, and for his Ascension to the right Hand of God the Father, and there pouring out his Spirit, and giving Gifts to Men, Apostles, Evangelists, Prophets, Pastors, and Teachers, for the gathering and building up of his Church; and for fitting and inclining this Man to this great Work; to beseech him to fill him with his Holy Spirit, who in his Name we * set apart to this holy Service, to fulfil the Work of his Ministry in all things, that he may both save himself, and the People committed to his Charge.*

* Here let them impose their Hands upon his Head.

Eighthly, This or the like Form of Prayer or Blessing being ended, let the Minister who Preached, briefly exhort him to consider the greatness of his Office and Work, the Danger of Negligence both to himself and his People; the Blessing which will accompany his Faithfulness in this Life, and that to come; withal let him *Exhort* and *Charge*, the People in the Name of God, willingly to receive and acknowledge him as the Minister of Christ, and to maintain, encourage, and assist him in all the Parts of his Office. And so by Prayer commending both him and his Flock to the Grace of God, after the singing of a Psalm, let the Assembly be dismissed with a Blessing.

Ninthly, Let such as are chosen or appointed for the Service of the Army, or Navy, or Colleges, or other Charge, be Ordained as abovesaid, in such Church as the Classical Presbytery to which they shall address themselves shall think fit; and such Alterations made by the Minister that Ordaineth from the Exhortation last before prescribed, as the Circumstance of Place and Person shall require.

And be it further Ordained by the said Lords and Commons, and by the Authority aforesaid, That every Person formerly Ordained a Presbyter, according to the Form of Ordination, which hath been held in the Church of *England*, and is to be removed to another Charge, do bring the Presbytery where he is to be placed, a Testimonial of his Ordination, and of his Abilities and Conversation, whereupon his Fitness for that Place where he is to be removed, shall be tried by his Preaching there, and (if it shall be judged necessary) by a further Examination; and so, without any new *Ordination*, he shall be admitted, if he be appointed as fit for that Place. And if any Person ordained Minister in *Scotland*, or in any other Reformed Church, be designed to a Congregation in *England*, he is to bring from that Church to the Presbytery where he is to be placed, a sufficient Testimonial of his Ordination, of his Life and Conversation while he lived with them, and of the Causes of his Removal; and to undergo such a Trial of his Fitness and Sufficiency, and to have the same Course held with him in other particulars, as is set down in the foregoing Rule and Provision, touching the Examination and Admission of Persons formerly ordained in *England*.

And it is further ordained, That Records be carefully kept by the Register, to be nominated by the Presbytery, of the Names of the Persons ordained, with

with their Testimonial of the Time and Place of their Ordination, and of the Ministers who did ordain them, and of the Charge to which they are appointed; and that no Money or Gift, of what kind soever, shall be received from the Person to be ordained, or from any on his behalf, for Ordination, or ought else belonging to it, by the Presbytery or any of them, or any appertaining to any of them, upon what Pretence soever; except to the Register, for the Entry, Instruments, and Testimonials of his Ordination, which shall not exceed the Sum of Ten Shillings for each Person.

21 *Caroli.*

And it is yet futher ordained by the Authority aforesaid, That all Persons who shall be ordained Presbyters according to this Directory, shall be for ever reputed and taken in all Intents and Purposes, for lawful and sufficiently Authorized Ministers of the Church of *England*, and as capable of any Ministerial Employment in the Church, with the Rights and Profits belonging thereunto, as any other Presbyter whatsoever, already ordained, or hereafter to be ordained: And that all Presbyters who are hereby appointed and authorized to ordain, and shall (according to this present Directory) ordain Presbyters, are heteby declared to perform an acceptable Service to this Church, and Kingdom, and shall have the Protection of both Houses of Parliament for their Indemnity.

Provided, That this Ordinance shall stand in Force for Twelve Months, and no longer: Any thing in this Ordinance contained to the contrary in any wise notwithstanding.

Die Lunæ, Decemb. 1. 1645.

An Order against such Members as take Money for any thing depending in the House of Commons, *Dec.* 1. 1645.

THE House of Commons doth declare, That it shall be an acceptable Service for any Person or Persons to inform this House of any Member or Members of this House, that by himself or others, directly or indirectly, hath taken or received any Money or other thing, of any Person or Persons, for any Matter or Thing depending in this House, or any Committee of this House, since the beginning of this Parliament: And the House hath appointed a Committee to receive any such Informations, who are to sit in the *Exchequer-Chamber* upon *Thursday* next in the Afternoon, and so from Time to Time: And the Members of the House are hereby enjoyned, if any of them know of any such Thing so taken in manner as aforesaid, by any other of the Members, that they do repair to the said Committee, and inform them of the same.

Charles R.

His Majesty's Message to both Houses, *Dec.* 5. 1645.

HIS Majesty being deeply sensible of the Continuation of this Bloody and Unnatural War, cannot think himself discharged of the Duty he owes to God, or the Affection and Regard he has to the Preservation of his People, without the constant Application of his earnest Endeavours to find some Expedient for the speedy Ending of these unhappy Distractions, doth therefore desire, That safe Conduct may be forthwith sent for the Duke of *Richmond*, the Earl of *Southampton*, *John Ashburnham*, and *Jeffery Palmer*, Esqs; and their Attendants, with Coaches, Horses, and other Accommodations for their Journy to *Westminster*, during their Stay there, and Return when they shall think fit: Whom his Majesty intends to send to the Lords and Commons assembled in the Parliament of *England* at *Westminster*, and the Commissioners in the Parliament of *Scotland*, furnished with such Propositions as his Majesty is confident will be the Foundation of a happy and well-grounded Peace. *Given at the Court of* Oxford *the* 5th *of* December, 1645.

For the Speaker of the House of Peers pro Tempore.

Charles R.

His Majesty's Message, *Dec.* 15. in pursuance of the former.

HIS Majesty cannot but extremely wonder, that after so many Expressions on your Part of a deep and seeming Sense of the Miseries of this afflicted Kingdom, and of the Dangers incident to his Person during the continuance of this unnatural War; your many great and so oft repeated Protestations, That the raising of the Arms hath been only for the necessary Defence of God's true Religion, His Majesty's Honour, Safety, and Prosperity, the

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the Peace, Comfort, and Security of his People; you should delay a safe Conduct to the Persons mentioned in his Majesty's Message of the 5*th* of this Instant *December*, which are to be sent unto you with Propositions for a well-grounded Peace: A Thing so far from having been at any Time denied by his Majesty whensoever you have desired the same, that he believes it hath been seldom (if ever) refused amongst the most avowed and professed Enemies, much less by Subjects to their King. But his Majesty is resolved that no Discouragements whatsoever shall make him fail of his Part of doing his utmost Endeavours to put an End to these Calamities, which if not in Time prevented, must prove the Ruin of this unhappy Nation: And therefore doth once again desire, That a safe Conduct may be forthwith sent for those Persons expressed in his former Message: And doth therefore Conjure you, as you will answer to Almighty God in that Day when he shall make Inquisition for all the Blood that hath and may yet be spilt in this unnatural War, as you tender the Preservation and Establishment of the true Religion, by all the Bonds of Duty and Allegiance to your King, or Compassion to your bleeding and unhappy Country, and of Charity to yourselves, That you dispose your Hearts to a true Sense, and employ all your Faculties in a more serious Endeavour, together with his Majesty, to set a speedy End to these wasting Divisions; and then he shall not doubt but that God will yet again give the Blessing of Peace to this distracted Kingdom. *Given at the Court at* Oxford *the* 15th *of* December, 1645.

For the Speaker of the House of Peers pro Tempore.

For the Speaker of the House of Peers pro Tempore: *To be communicated to the Two Houses of Parliament at* Westminster, *and the Commissioners of the Parliament of* Scotland.

Charles R.

His Majesty's Message to both Houses, with Propositions, *Dec.* 26. 1645.

NOtwithstanding the strange and unexpected Delays (which can be precedented by no former Times) to his Majesty's two former Messages, his Majesty will lay aside all Expostulations, as rather serving to lose Time, than to contribute any Remedy to the Evils which (for the present) do afflict this distracted Kingdom. Therefore, without further Preamble, his Majesty thinks it most necessary to send these Propositions this Way, which he intended to do by the Persons mentioned in his former Messages; though he well knows the great Disadvantage which Overtures of this kind have, by the want of being accompanied by well-instructed Messengers.

His Majesty conceiving that the former Treaties have hitherto proved ineffectual, chiefly for want of Power in those Persons that Treated, as likewise because those from whom their Power was derived (not possibly having the particular Informations of every several Debate) could not give so clear a Judgment as was requisite to so important a Business: If therefore his Majesty may have the Engagement of the two Houses at *Westminster*, the Commissioners of the Parliament of *Scotland*, the Mayor, Aldermen, Common Council and Militia of *London*; of the Chief Commanders in Sir *Tho. Fairfax*'s Army, as also of those in the *Scots* Army, for his Majesty's free and safe coming to, and abode in *London* or *Westminster* (with such of his Servants now attending him, and their Followers, not exceeding in all the Number of three hundred) for the space of forty Days; and after the said Time, for his free and safe Repair to any of his Garrisons of *Oxford*, *Worcester*, or *Newark* (which his Majesty shall nominate at any Time before his going from *London* or *Westminster*,) his Majesty propounds to have a Personal Treaty with the Two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*, upon all Matters which may conduce to the Restoring of Peace and Happiness to these miserably-distracted Kingdoms; and to begin with the three Heads which were treated on at *Uxbridge*. And for the better clearing of his Majesty's earnest and sincere Intentions of putting an End to these unnatural Distractions, (knowing the Point of Security may prove the greatest Obstacle to this most blessed Work) his Majesty therefore declares, That he is willing to commit the great Trust of the Militia of this Kingdom, for such Time and with such Powers as are express'd in the Paper delivered

delivered by his Majesty's Commissioners at *Uxbridge*, the *6th* of *February* last, to these Persons following, *Viz.* 21 *Caroli.*

The Lord Privy-Seal,	Earl of *Salisbury*,	Mr. *Hen. Bellasis*,
The Duke of *Richmond*,	Earl of *Manchester*,	Mr. *Rich. Spencer*,
The Marq. of *Hartford*,	Earl of *Warwick*,	Sir *Tho. Fairfax*,
The Marq. of *Dorchester*,	Earl of *Denbigh*,	Mr. *John Ashburnham*,
The Earl of *Dorset*, Lord Chamberlain,	Earl of *Chichester*,	Sir *Gervase Clifton*,
The Earl of *Northumberland*,	Lord *Say*,	Sir *Hen. Vane*, Jun.
The Earl of *Essex*,	Lord *Seymour*,	Mr. *Rob. Wallop*,
The Earl of *Southampton*,	Lord *Lucas*,	Mr. *Tho. Chicheley*,
Earl of *Pembroke*,	Lord *Lexington*,	Mr. *Oliver Cromwel*, and
	Mr. *Denzil Hollis*,	Mr. *Philip Skippon*.
	Mr. *Pierpoint*,	

Supposing that these are Persons against whom there can be no just Exception. But if this doth not satisfy, then his Majesty offers to name the one half, and leave the other to the Election of the two Houses of Parliament at *Westminster*, with the Powers and Limitations before-mention'd.

Thus his Majesty calls God and the World to witness of his sincere Intentions and real Endeavours for the composing and settling of these miserable Distractions; which he doubts not but by the Blessing of God will soon be put to an happy Conclusion, if this his Majesty's Offer be accepted. Otherwise he leaves all the World to Judge who are the Continuers of this unnatural War. And therefore he once more conjures you by all the Bonds of Duty you owe to God and your King, to have so great a Compassion on the bleeding and miserable Estate of your Country, that you join your most serious and hearty Endeavour with his Majesty, to put an happy and speedy End to these present Miseries. *Given at the Court at* Oxford *the* 16th *of* December, 1645.

May it please your Majesty,

The Answer of both Houses to his Majesty's two former Messages of the 5th and 15th of *Dec.*

THE Lords and Commons assembled in the Parliament of *England* at *Westminster*, have received your Letters of the *5th* and *15th* of this Instant *December*; and having, together with the Commissioners of the Parliament of *Scotland*, taken the same into their serious Consideration, do humbly return this Answer:

They have in all their Actions manifested to your Majesty and the World, their sincere and earnest desires that a safe and well grounded Peace might be settled in your Three Kingdoms; and for the obtaining so great a Blessing, shall ever pray to God, and use their utmost Endeavours: And beseech your Majesty to believe, that their not sending a more speedy Answer, hath not proceeded from any Intention to retard the Means of putting an End to these present Calamities by a happy Peace; but hath been occasioned by the Considerations and Debates necessary in a Business of so great Importance, wherein both Kingdoms are so much concern'd.

As to your Majesty's Desire of a safe Conduct for the coming hither of the Duke of *Richmond*, the Earl of *Southampton*, *John Ashburnham*, and *Jeffrey Palmer*, Esqs. with Propositions to be the Foundations of an happy and well-grounded Peace; they finding that former Treaties have been made use of for other Ends, under the pretence of Peace, and having proved dilatory and unsuccessful, cannot give way to a safe Conduct according to your Majesty's Desire. But both Houses of the Parliament of *England* having now under their Consideration Propositions and Bills for the settling of a safe and well-grounded Peace, which are speedily to be communicated to the Commissioners of the Kingdom of *Scotland*, do resolve after mutual Agreement of both Kingdoms, to present them with all speed to your Majesty.

Westminster, Dec. 25, 1645.

Gray *of* Wark, *Speaker of the House of Peers*, pro Tempore.
William Lenthall, *Speaker of the House of Commons.*

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For the Speaker of the House of Peers pro Tempore. *To be communicated to the Two Houses of Parliament at* Westminster, *and the Commissioners of the Parliament of* Scotland.

Charles R.

His Majesty's Reply by Sir *P. t. Killegrew*, *De* 29.

ALtho' the Message sent by Sir *Peter Killegrew*, may justly require an Expostulatory Answer, yet his Majesty lays that aside, as not so proper for his present Endeavours; leaving all the World to judge whether his Proposition for a Personal Treaty, or the flat Denial of a safe Conduct for Persons to begin a Treaty, be greater Signs of a real Intention to Peace; and shall now only insist upon his former Message of the *26th* of this *December*, That upon his Repair to *Westminster*, he doubts not but so to join his Endeavours with his Two Houses of Parliament, as to give just Satisfaction not only concerning the Business of *Ireland*, but also for the settling of a Way for the Payment of the Publick Debts as well to the *Scots* and the City of *London*, as others. And as already he hath shewn a fair Way for the settling of the Militia, so he shall carefully endeavour in all other Particulars, that none shall have cause to complain for want of Security, whereby just Jealousies may arise, to hinder the continuance of the desired Peace. And certainly this Proposition of a Personal Treaty could never have enter'd into his Majesty's Thoughts, if he had not resolv'd to make apparent to all the World, That the Publick Good and Peace of this Kingdom is far dearer to him than the respect of any particular Interest. Wherefore none can oppose this Motion, without a manifest Demonstration, That he particularly envies his Majesty should be the chief Author in so blessed a Work, besides the declaring himself a direct Opposer of the happy Peace of these Nations. To conclude, whosoever will not be ashamed that his fair and specious Protestations should be brought to a true and Publick Test, and those who have a real Sense, and do truly commiserate the Miseries of their bleeding Country, let them speedily and chearfully embrace his Majesty's Proposition for his Personal Treaty at *Westminster*; which by the Blessing of God, will undoubtedly to these now-distracted Kingdoms restore the Happiness of a long-wish'd-for and lasting Peace. *Given at the Court at* Oxford, *the* 29th *Day of* December, 1645.

For the Speaker of the House of Peers pro Tempore. *To be communicated to the Two Houses of Parliament at* Westminster, *and the Commissioners of the Parliament of* Scotland.

Charles R.

His Majesty's Message. *Jan.* 15. 164⅚.

BUT that these are Times wherein nothing is strange, it were a Thing much to be marvell'd at, what should cause this unparallel'd long Detention of his Majesty's Trumpet, sent with his Gracious Message of the *26th* of *December* last; Peace being the only Subject of it, and his Majesty's Personal Treaty the Means proposed for it. And it were almost as great a Wonder, that his Majesty should be so long from enquiring after it, if that the hourly Expectation thereof had not in some measure satisfied his Impatience. But lest his Majesty by his long Silence should condemn himself of Carelesness in that which so much concerns the Good of all his People, he thinks it high time to enquire after his said Trumpeter. For since all Men who pretend any Goodness must desire Peace, and that all Men know Treaties to be the best and most Christian way to procure it; and there being as little Question that his Majesty's Personal Presence in it is the likeliest Way to bring it to an happy Issue, he judges there must be some strange variety of Accidents, which causeth this most tedious Delay. Wherefore his Majesty earnestly desires to have a speedy Account of his former Message, the Subject whereof is Peace, and the Means his Personal Presence at *Westminster*; where the Government of the Church being setled as it was in the Times of the happy and glorious Reigns of *Q. Elizabeth* and *K. James*, and full Liberty for the Ease of their Consciences who will not communicate in that Service establish'd by Law, and likewise for the free and publick Use of the *Directory* (prescribed, and by Command of the Two Houses of Parliament now practised in some Parts of the City of *London*) to such as shall desire to use the same; and all Forces being agreed to be disbanded, his

Majesty will then forthwith (as he hath in his Message of the *29th* of *December* last already offered) joyn with his two Houses of Parliament in settling some Way for the Payment of the publick Debts to his *Scots* Subjects, the City of *London*, and others. And his Majesty having proposed a fair Way for the settling of the *Militia*, which now by this long Delay seems not to be thought a sufficient Security: his Majesty (to shew how really he will employ himself at his coming to *Westminster*, for making this a lasting Peace, and taking away all Jealousies, how groundless soever) will endeavour upon Debate with his two Houses, so to dispose of it (as likewise of the Business of *Ireland*, as may give them and both Kingdoms Satisfaction. Not doubting also but to give good Contentment to his two Houses of Parliament in the choice of the Lord Admiral, the Officers of State, and others, if his two Houses by their ready Inclinations to Peace, shall give him Encouragement thereunto.

21 *Caroli.*

Thus his Majesty having taken Occasion by his just Impatience so to explain his Intentions, that no Man can doubt of an happy Issue to this succeeding Treaty; if now there shall be so much as a Delay of the same, he calls God and the World to witness who they are that not only hinder but reject this Kingdom's future Happiness: It being so much the stranger, that his Majesty's coming to *Westminster* (which was first the greatest Pretence for taking up Arms) should be so much as delayed, much less not accepted, or refused. But his Majesty hopes that God will no longer suffer the Malice of wicked men to hinder the Peace of this too much afflicted Kingdom. *Given at the Court at* Oxford *the* 15th *of* January, 164 5/6.

May it please your Majesty,

The Answer of both Houses *Jan.* 13. to his Majesty's two former Messages of the *26th* and *29th* of *December.*

WE your humble and loyal Subjects of both Kingdoms, have received your Letters of the *26th* and *29th* of *December* last; unto which we humbly return this Answer, That there hath been no Delay on our Parts, but what was necessary in a Business of so great a Consequence as is expressed in our former Letter to your Majesty. Concerning the Personal Treaty desired by your Majesty, there having been so much innocent Blood of your good Subjects shed in this War by your Majestys Commands and Commissions; *Irish* Rebels brought over into both Kingdoms, and Endeavours to bring over more into both of them, as also Forces from Foreign Parts; your Majesty being in Arms in these Parts, and the Prince in the Head of an Army in the *West*; divers Towns made Garrisons, and kept in Hostility against the Parliament of *England*; there being also Forces in *Scotland* against that Parliament and Kingdom by your Majesty's Commission; the War in *Ireland* fomented and prolonged by your Majesty; whereby the Three Kingdoms are brought near to utter Ruin and Destruction: We conceive that until Satisfaction and Security be first given to both your Kingdoms, your Majesty's coming hither cannot be convenient, nor by us assented unto: Neither can we apprehend it a means conducing to Peace, that your Majesty should come to your Parliament for a few Days, with any Thoughts of leaving it, especially with intentions of returning to Hostility against it. And we do observe, That your Majesty desires the Engagement not only of your Parliaments, but of the Lord-Mayor, Aldermen, Common-Council, and Militia of the City of *London*, the Chief Commanders of Sir *Tho. Fairfax*'s Army, and those of the *Scots* Army; which is against the Privileges and Honour of the Parliaments, those being joined with them, who are subject and subordinate to their Authority. As to that which your Majesty (against the Freedom of the Parliaments) inforces in both your Letters with many earnest Expressions, as if in no other way than that propounded by your Majesty, the Peace of the Kingdoms could be established, your Majesty may please to remember, That in our last Letter we did declare that Propositions from both Kingdoms were speedily to be sent to your Majesty; which we conceive to be the only way for the obtaining an happy and well grounded Peace; and your Majesty's Assent unto those Propositions will be an effectual means for giving Satisfaction and Security to your Kingdoms, will assure a firm Union between the Two Kingdoms (as much desired by each for other, as for themselves), and settle Religion, and secure the Peace of the Kingdom of *Scotland*, whereof neither is so much as mentioned in your Majesty's Letter. And in proceeding according

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Westminster, 13. *Jan.* 1645.

Gray *of* Wark, *Speaker of the House of Peers* pro Tempore.
William Lenthal, *Speaker of the House of Commons.*

Sign'd in the Name and by the Warrant of the Commissioners of the Parliament of Scotland,
Balmerino.

To the Speaker of the House of Peers, &c, [Ut supra.]

Charles R.

His Majesty's Reply to the Answer to both Houses, *Jan.* 17. 164⅚.

HIS Majesty thinks not fit now to answer those Aspersions which are return'd as Arguments for his Non-Admittance to *Westminster* for a Personal Treaty, because it would enforce a Stile not suitable to his End, it being the Peace of these miserable Kingdoms: Yet this much he cannot but say to those who have sent him this Answer, That if they had considered what they had done themselves in occasioning the shedding of so much innocent Blood, by withdrawing themselves from their Duty to him, in a Time when he had granted so much to his Subjects, and in violating the known Laws of the Kingdom to draw an exorbitant Power to themselves over their Fellow-Subjects, (to say no more, To do as they have done); they could not have given such a false Character of his Majesty's Actions. Wherefore his Majesty must now remember them, That having some Hours before his receiving of their last Paper of the 13*th* of *January*, sent another Message to them of the 15*th*, wherein by divers Particulars he enlarges himself, to shew the Reality of his Endeavours for Peace, by his desired Personal Treaty (which he still conceives to be the likeliest Way to attain to that blessed End) he thinks fit by this Message to call for an Answer to that, and indeed to all the former: For certainly no Rational Man can think their last Paper can be any Answer to his former Demands; the Scope of it being, That because there is a War, therefore there should be no Treaty for Peace. And is it possible to expect that the Propositions mentioned should be the Grounds of a lasting Peace, when the Persons that sends them will not endure to hear their own King speak? But whatever the Success hath been of his Majesty's former Messages, or how small soever his Hopes are of a better, considering the high strain of those that deal with his Majesty, yet he will neither want Fatherly Bowels to his Subjects in general, nor will he forget that God hath appointed him for their King with whom he Treats: Wherefore he now demands a speedy Answer to his last and former Messages. *Given at the Court at* Oxon *this* 17th *of* January, 1645.

To the Speaker of the House of Peers, &c.

Charles R.

His Majesty's further Reply, *Jan.* 24.

THE procuring Peace to these Kingdoms by Treaty is so much desired by his Majesty, that no unjust Aspersions whatsoever, or any other Discouragements, shall make him desist from doing his Endeavour therein, until he shall see it altogether impossible; and therefore hath thought fitting so far only to make Reply to that Paper or Answer which he hath received of the 13*th* of this Instant *January*, as may take away those Objections which are made against his Majesty's coming to *Westminster*; expecting still an Answer to his Messages of the 15*th* and 17th, which he hopes by this time have begotten better Thoughts and Resolutions in the Members of both Houses.

And first therefore, Whereas in the said last Paper it is objected as an Impediment to his Majesty's Personal Treaty, That much innocent Blood hath been shed in this War by his Majestys Commissions, *&c.* he will not now dispute (it being apparent to all the World, by whom this Blood hath been spilt) but rather presseth that there should be no more: And to that End only he hath desired this Personal Treaty, as judging it the most immediate Means to abolish so many horrid Confusions in all his Kingdoms. And it is no Argument, to say that there shall be no such Personal Treaty, because there have been

been Wars; it being a strong Inducement to have such a Treaty, to put an end to the War.

2dly. That there should be no such Personal Treaty, because some of his *Irish* Subjects have repaired to his Assistance, seems an Argument altogether as strange as the other; as always urging, That there should be no Physick, because the Party is sick. And in this Particular it hath been often observed unto them, That these whom they call *Irish*, who have so expressed their Loyalty to their Sovereign, were indeed (for the most part) such *English* Protestants as had been formely sent into *Ireland* by the Two Houses, impossibilitated to stay there any longer, by the neglect of those that sent them thither, who should there have better provided for them. And for any Foreign Forces, it is too apparent that *Their* Armies have swarmed with them, when his Majesty hath had few or none.

And whereas for a Third Impediment it is alledged that the Prince is in the Head of an Army in the *West*, and that there are divers Garrisons still kept in his Majesty's Obedience, and that there are Forces in *Scotland*; it must be as much confess'd, as that yet there is no Peace: And therefore it is desired that by such a Personal Treaty all these Impediments may be removed. And it is not here amiss to put them in mind, how long since his Majesty did press a disbanding of all Forces on both Sides: The refusing whereof hath been the Cause of this Objection.

And whereas Exception is taken, that there is a Time limited in the Proposition for his Majesty's Personal Treaty, thereupon inferring that he should again return to Hostility, his Majesty protesteth that he seeks this Treaty to avoid future Hostility, and to procure a lasting Peace: And if he can meet with like Inclinations to Peace in those he desires to Treat with, he will bring such Affections and Resolutions in himself, as shall end all these unhappy bloody Differences.

As for those Engagements which his Majesty hath desired for his Security; whosoever shall call to mind the particular Occasions that enforced his Majesty to leave the City of *London* and *Westminster*, will judge his Demand very reasonable and necessary for his Safety. But he no way conceiveth how the Lord-Mayor, Aldermen, Common-Council, and Militia of *London*, were either subject or subordinate to that Authority which is alledged, as knowing neither Law nor Practice for it: And if the Two Armies be, he believes it is more than can be parallel'd by any former Times in this Kingdom. Nor can his Majesty understand how his Majesty's seeking of a Personal Security can be any Breach of Privilege, it being likely to be infringed by hindring his Majesty from coming freely to his Two Houses.

As for the Objection, That his Majesty omitted to mention the settling Religion, and securing the Peace of his Native Kingdom, his Majesty declares, That he conceives it was included in his former, and hath been particularly mentioned in his latter Message of the 15*th* present. But for their better Satisfaction, he again expresseth, that it was and ever shall be both his Meaning and Endeavour in his Treaty desired. And it seems to him very clear, That there is no way for a final ending of such Distractions as afflict this Kingdom, but either by Treaty or Conquest: The latter of which his Majesty hopes none will have the Impudence or Impiety to wish for: And for the former, if his Personal Assistance in it be not the most likely way, let any reasonable Man judge, when by that Means not only all unnecessary Delays shall be removed, but even the greatest Difficulties made easy. And therefore he doth now again earnestly insist upon that Proposition, expecting to have a better Answer upon mature Consideration. And can it be imagined that any Propositions will be so effectual, being formed before a Personal Treaty, as such as are framed and propounded upon a full Debate on both sides? Wherefore his Majesty, who is most concerned in the good of his People, and is most desirous to restore Peace and Happiness to his Three Kingdoms, doth again instantly desire an Answer to his said former Messages, to which he hath hitherto received none. *Given at our Court at* Oxon *the* 24th *of* January, 1645.

To

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His Majesty's Message, *Jan.* 29.

To the Speaker of the House of Peers, &c.

Charles R.

HIS Majesty having received Information from the Lord Lieutenant and Council in *Ireland*, That the Earl of *Glamorgan* hath without his or their Directions or Privity, entred into a Treaty with some Commissioners on the *Roman-Catholick* Party there, and also drawn up and agreed unto certain Articles with the said Commissioners, highly derogatory to his Majesty's Honour and Royal Dignity, and most prejudicial unto the Protestant Religion and Church there in *Ireland*: Whereupon the said Earl of *Glamorgan* is arrested upon suspicion of High Treason and imprisoned by the said Lord Lieutenant and Council, at the Instance and by the Impeachment of the Lord *Digby*, who (by reason of his Place and former Employment in these Affairs) doth best know how contrary that proceeding of the said Earl hath been to his Majesty's Intentions and Directions; and what great Prejudice it might bring to his Affairs, if those Proceeding of the Earl of *Glamorgan* should be any ways understood to have been done by the Directions, Liking, or Approbation of his Majesty.

His Majesty having in his former Messages for a Personal Treaty offered to give Contentment to his two Houses in the Business of *Ireland*; hath now thought fitting, the better to shew his clear Intentions, and to give Satisfaction to his said Houses of Parliament, and the rest of his Subjects in all his Kingdoms, to send this Declaration to his said Houses, containing the whole Truth of the Business, which is, That the Earl of *Glamorgan* having made Offer unto him to raise Forces in the Kingdom of *Ireland*, and to conduct them into *England* for his Majesty's Service, had a Commission to that Purpose, and to that Purpose only. That he had no Commission at all to Treat of any thing else, without the Privity and Directions of the Lord Lieutenant, much less to capitulate any thing concerning Religion, or any Propriety belonging either to Church or Laity. That it clearly appears by the Lord Lieutenant's Proceedings with the said Earl, that he had no Notice at all of what the said Earl had treated and pretended to have Capitulated with the *Irish*, until by Accident it came to his Knowledge. And his Majesty doth protest, that until such Time as he had Advertisement that the Person of the said Earl of *Glamorgan* was Arrested and Restrained as is abovesaid, he never heard or had any kind of Notice that the said Earl had entered into any kind of Treaty or Capitulation with those *Irish* Commissioners, much less that he had concluded or signed those Articles, so destructive to the Church and State, and so repugnant to his Majesties publick Professions, and known Resolutions. And for the further Vindication of his Majesty's Honour and Intregity herein, he doth declare, That he is so far from considering any Thing contained in those Papers or Writings, framed by the said Earl and those Commissioners with whom he treated, as he doth absolutely disavow him therein, and hath given Commandment to the Lord Lieutenant and the Council there, to proceed against the said Earl as one who either out of Falseness, Presumption, or Folly, hath so hazarded the blemishing of his Majesty's Reputation with his good Subjects, and so impertinently framed those Articles of his own Head, without the Consent, Privity, or Directions of his Majesty, or the Lord Lieutenant, or any of his Majesty's Council there. But true it is, That for the necessary Preservation of his Majesty's Protestant Subjects in *Ireland*, whose case was daily represented unto him to be so desperate, he had given Commission to the Lord Lieutenant to treat and conclude such a Peace there, as might be for the Safety of that Crown, the Preservation of the Protestant Religion, and no way Derogatory to his own Honour and Publick Professions. But to the end his Majesty's real Intentions in this Business of *Ireland* may be the more clearly understood, and to give more ample Satisfaction to both Houses of Parliament, and the Commissioners of the Parliament of *Scotland*, especially concerning his Majesty's not being engaged in any Peace or Agreement there, he doth desire, if the Two Houses shall admit of his Majesty's Repair to *London* for a Personal Treaty (as was formerly proposed), That speedy Notice be given thereof to his Majesty, and a Pass or Safe Conduct with a Blank sent, for a Messenger to be immediately dispatch'd into *Ireland*, to prevent any Accident that may happen to hinder his Majesty's Resolution of leaving the managing the Business of

Ireland

Ireland wholly to the Two Houses, and to make no Peace there but with their Consent; which in case it shall please God to bless his Endeavours in the Treaty with Success, his Majesty doth hereby engage himself to do. And for a further Explanation of his Majesty's Intentions in his former Messages, he doth now declare, That if his Personal Repair to *London*, as aforesaid, shall be admitted, and a Peace thereon shall ensue, he will then leave the Nomination of the Persons to be intrusted with the Militia, wholly to his Two Houses, with such Power and Limitations as are expressed in the Paper delivered by his Majesty's Commissioners at *Uxbridge*, the *6th* of *February*, 1644. for the Term of Seven Years, as hath been desired, to begin immediately after the Conclusion of the Peace, the disbanding of all the Forces on both sides, and the dismantling of the Garrisons erected since these present Troubles; so as at the Expiration of the Time before-mentioned, the Power of the Militia shall entirely revert and remain as before. 21 *Caroli.*

And for their further Security, his Majesty (the Peace succeeding) will be content, that *pro hac vice*, the Two Houses shall nominate the Admiral, Officers of State, and Judges, to hold their Places during Life, or *Quam diu se benè gesserint*, which shall be best liked, to be accountable to none but the King and the Two Houses of Parliament. As for matter of Religion, his Majesty doth further declare, That by the Liberty offered in his Message of the *15th* present, for the ease of their Consciences who will not communicate in the Service already establish'd by Act of Parliament in this Kingdom, he intends that all other Protestants behaving themselves peaceably in and towards the Civil Government, shall have the free Excercise of their Religion according to their own Way. And for the total removing of all Fears and Jealousies, his Majesty is willing to agree, That upon the Conclusion of Peace there shall be a general Act of Oblivion and Free Pardon pass'd by Acts of Parliament in both his Kingdoms respectively.

And lest it should be imagined, that in making these Propositions, his Majesty's Kingdom of *Scotland*, and his Subjects there, have been forgotten or neglected, his Majesty declares, That what is here mentioned touching the Militia, and the naming of Officers of State, and Judges, shall likewise extend to his Kingdom of *Scotland*. And now his Majesty having so full and clearly expressed his Intentions and Desires of making a happy and well-grounded Peace; if any Person shall decline that Happiness by opposing so apparent a Way of attaining it, he will sufficiently demonstrate to all the World, his Intention and Design can be no other than the total Subversion and Change of the Ancient and Happy Government of this Kingdom, under which the *English* Nation hath so long flourished. *Given at the Court at* Oxford *the* 29th *of* January, 1645.

For the Speaker of the House of Peers pro Tempore, *&c.*

Charles R.

HIS Majesty needs to make no Excuse, tho' he sent no more Messages unto you; for he very well knows he ought not to do it, if he either stood upon Punctilio's of Honour, or his own private Interest; the one being already call'd in question by his often sending, and the other assuredly prejudg'd, if a Peace be concluded from that he hath already offered, he having thereby departed with many of his undoubted Rights. But nothing being equally dear to him to the Preservation of his People, his Majesty passeth by many Scruples, Neglects and Delays, and once more desires you to give him a speedy Answer to his last Message: for his Majesty believes it doth very well become him (after this very long Delay) at last to utter his Impatience, since that the Goods and Blood of his Subjects cries so much for Peace. *Given at the Court at* Oxford *the* 26th *of* February, 1645. His Majesty's Message, *Feb.* 26. 1645.

To the Speaker of the House of Peers, &c.

Charles R.

NOtwithstanding the unexpected Silence, instead of Answer to his Majesty's many and Gracious Messages to both Houses, whereby it may appear that they desire to attain their own Ends by Force rather than Treaty; which may justly discourage his Majesty from any more Overtures of that kind; The King's Message, *March* 23. 1645.

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kind; yet his Majesty conceives he shall be much wanting in his Duty to God, and in what he oweth to the Safety of his People, if he should not intend to prevent the great Inconveniences that may otherwise hinder a safe and well-grounded Peace. His Majesty therefore now proposeth, That so he may have the Faith of both Houses of Parliament for the Preservation of his Honour, Person, and Estate; and that Liberty be given to all those who do and have adhered to his Majesty, to go to their own Houses, and there to live peaceably, enjoying their Estates, all Sequestrations being taken off, without being compell'd to take any Oath not enjoined by the undoubted Laws of the Kingdom, or being put to any other Molestation whatsoever; he will immediately disband all his Forces, and dismantle all his Garrisons; and being accompanied with his Royal, not his Martial Attendance, return to his Two Houses of Parliament, and there reside with them. And for the better Security of all his Majesty's Subjects, he proposeth, That he with his said Two Houses, immediately upon his coming to *Westminster*, will pass an Act of Oblivion and Free Pardon; and where his Majesty will further do whatsoever they will advise him, for the Good and Peace of this Kingdom. And as for the Kingdom of *Scotland*, his Majesty hath made no mention of it here, in regard of the great loss of Time which must now be spent in expecting an Answer from thence; but declares, That immediately upon his coming to *Westminster*, he will apply himself to give them all Satisfaction touching that Kingdom. If his Majesty could possibly doubt the Success of this Offer, he could use many Arguments to persuade them to it; but shall only insist upon that great One, of giving an instant Peace to these afflicted Kingdoms. *Given at our Court at* Oxford, *the* 23d *of* March, 1645.

Die Veneris, 20. Feb. 1645.

Resolved by the Lords and Commons in Parliament assembled,

THat there be forthwith a Choice made of Elders throughout the Kingdom of *England*, and Dominion of *Wales* in the respective Parish-Churches and Chapels, according to such Directions as have already passed both Houses, bearing Date the 19th of *August*, 1645. and since that Time. And all Classes, and Parochial Congregations respectively, are hereby authorized and required forthwith effectually to proceed therein accordingly.

Resolved, &c. That notice of the Election of Parochial and Congregational Elders, and of the Time when it shall be, be given by the Minister in the Publick Assembly the next Lord's Day but one before: And that on that said Lord's Day a Sermon be preached preparatory to that weighty Business.

Resolved, &c. That such Election shall be made by the Congregation, or the Major part of them then assembled, being such as have taken the National Covenant, and are not Persons under Age, nor Servants that have no Families.

Resolved, &c. That these Three Votes be forthwith communicated to the Lord-Mayor, and immediately put in due Execution.

Jo. Browne, Cleric. Parliamentorum.

Die Sabbati, 14. Martii, 1645.

An Ordinance of the Lords and Commons assembled in Parliament.

THE Lords and Commons assembled in Parliament, being very sensible of the great Duty which lieth upon them to settle Matters concerning *Religion*, and the *Worship* of Almighty God; and having continually before their Eyes the *Covenant*, which they have so solemnly taken for the performance thereof, and the manifold Motives and Encouragements thereunto, which are given them from God himself, by a special Hand of Providence, pouring forth daily Mercies upon them: In discharge of their Duty, and in pursuance of the said *Covenant*, and in Thankfulness to God for all his Mercies, having diligently applied themselves to that Work of his House by his Grace and Assistance, they have made some progress therein, notwithstanding the Exigency of other Affairs, accompanied oftentimes with great and imminent Dangers; and notwithstanding the great Difficulty of the Work itself in divers Respects, and particularly in the right jointing of what was to be settled with the Laws and Government of the Kingdom, the want whereof hath caused

caused much Trouble in this and other States; yet by the merciful Assistance of God, having removed the Book of *Common Prayer*, with all its unnecessary and burdensome Ceremonies, and established the *Directory* in the Room thereof, and having abolished the Prelatical Hierarchy by Archbishops, Bishops, and their Dependants, and instead thereof laid the Foundation of a *Presbyterial Government* in every Congregation, with Subordination to Classical, Provincial and National Assemblies, and of them all to the Parliament; Although it cannot be expected that a present Rule in every particular should be settled all at once, but that there will be need of Supplements and Additions, and haply also of Alterations in some things, as Experience shall bring to light the Necessity thereof; yet were the Fundamentals and Substantial Parts of that Government long since settled in Persons, by and over whom it was to be exercised and the nature, extent, and respective Subordination of their Power was limited, and defined; only concerning the Administration of the Sacrament of the Lords Supper, how all such Persons as were guilty of notorious and scandalous Offences, might be suspended from it, some Difficulty arising, not so much in the Matter itself, as in the Manner how it should be done, and who should be the Judges of the Offence: The Lords and Commons having it always in their Purpose and Intention, and it being accordingly declared and resolved by them, That all sorts of notorious scandalous Offenders should be suspended from the Sacrament; For the preventing of an indefinite and unlimited Power in the Elderships, they held it fit for the present, That the particular Cases of such scandalous Offences should be specified and enumerated, with express Declaration, That further Provision should be made by Authority of Parliament, for such Cases as were left out of the said Enumeration; which accordingly having since taken into their serious Consideration, and having had several Debates thereupon, as the Difficulty of the Matter required, which hath taken up much time, for the avoiding, as far as possible may be, all Arbitrary Power; and that all such Cases wherein Persons should be suspended from the Sacrament of the Lord's Supper, might be brought to the Cognizance, and pass the Judgment of the Parliament, who were bound in Justice as well to take care that none be injuriously detained from that Ordinance, as to give Power whereby such may be kept away who are unfit to partake therein: And to the Intent also that a full and speedy Course may be settled to enable the several Elderships to suspend all such Offenders from the Lord's Supper, without having recourse to the Parliament itself from all Parts of the Kingdom upon every such emergent Case, which might prove troublesome and tedious, and give liberty to such notorious and scandalous Offenders to communicate a long space in the said Ordinance: And to the intent likewise, that all such Cases coming first from the particular Elderships, may after they have passed the Judgment of Parliament, return again to all the several Elderships within the Kingdom, to proceed upon them from time to time in like manner as in the Cases enumerated. For the Ends and Purposes aforesaid, and also for Supply of some Defects in the former Ordinance and Directions of Parliament, concerning the Choice of *Elders*, and some other Matters:

21 Caroli.

I. *Be it Ordained*, That there be forthwith a Choice made of *Elders* throughout the Kingdom of *England*, and Dominion of *Wales*, in the respective Parish-Churches and Chapels, according to such Directions as have already passed both Houses, bearing date *August* the Nineteenth, One thousand six hundred forty and five, and since that time: And all Classes and Parochial Congregations are respectively hereby Authorized and required forthwith effectually to proceed therein accordingly.

II. That Notice of the Election of Parochial and Congregational *Elders*, and of the Time when it shall be, be given by the Ministers in the publick Assembly, the next Lord's Day but one before; and that on the said Lord's Day a Sermon be preached preparatory to that weighty Business.

III. That such Elections shall be made by the Congregation, or the Major part of them then assembled, being such as have taken the *National Covenant*, and are not Persons under Age, nor Servants that have no Families.

IV. That the Triers of Elections of *Elders*, shall have power to receive, hear, and determine all Exceptions brought into them concerning undue Elections; and to that End to call before them all such persons so elected, and accepting

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V. That the Triers ſhall have Power to examine whether the *Elders* that are to be choſen, be ſo qualified as is expreſſed in the Ordinance or Directions which hath paſſed both Houſes.

VI. That in Caſe the Election of any *Elder* of a Congregation, upon juſt Proof and Examination be found by the Triers appointed for that Purpoſe, to be unduly made; the ſaid Triers may Order ſuch *Elder* to be removed, and another to be choſen in his Place.

VII. That the Chapels or Places in the Houſes of the King and his Children, ſhall continue free for the exerciſe of Divine Duties, to be performed according to the *Directory*, and not otherwiſe.

VIII. That the Chapels or Places in the Houſes of the Peers of this Realm, ſhall have the like freedom.

IX. That the *Savoy* Pariſh ſhall be reckoned within the Eleventh Claſſis of *London*.

X. That the Chapel of the *Rolls*, the two *Serjeants-Inns*, and the four *Inns of Courts*, ſhall be a Province of themſelves.

That the *Presbytery* of the Chapel of the *Rolls*, the two *Serjeants-Inns*, and the four *Inns of Court*, ſhall be divided into two Claſſis.

That *Lincolns-Inn*, *Grays-Inn*, *Serjeants-Inn* in *Chancery-Lane*, and the *Rolls*, ſhall be one Claſſis: That the two *Temples*, and *Serjeants-Inn* in *Fleet-ſtreet*, ſhall be the other Claſſis.

XI. That the Claſſical Aſſemblies in each Province ſhall aſſemble themſelves within one Month after they ſhall be conſtituted and this Ordinance publiſhed, and ſhall thenceforth hold their Meetings Monthly by Adjournment, or oftner if need be, in ſuch a certain Place as ſhall be moſt Convenient for the Eaſe of the People.

XII. That out of every Congregational Elderſhip there ſhall be two *Elders* or more, not exceeding the Number of four, and one Miniſter ſent to every Claſſis.

XIII. That all Perſons guilty of notorious ſcandalous Offences, and more particularly all Renouncers of the true Proteſtant Religion, Profeſſed in the Church of *England*; and all Perſons that ſhall be Preaching or Writing maintain any ſuch Errors as do ſubvert any of theſe Articles, the Ignorance whereof do render any Perſon excluded from the Sacrament of the Lord's Supper; and all Perſons that ſhall make any Images or Pictures of the Trinity, or of any Perſon thereof, and all Perſons in whom Malice appears, and they refuſe to be reconciled, and the ſame appearing upon juſt Proof, all ſuch Perſons may be ſuſpended from the Sacrament of the Lord's Supper.

XIV. That in every Province Perſons ſhall be choſen by the Houſes of Parliament, that ſhall be Commiſſioners to judge of ſcandalous Offences (not enumerated in any Ordinance of Parliament) to them preſented: And that the Elderſhip of that Congregation where the ſaid Offence was Committed, ſhall upon Examination and Proof of ſuch ſcandalous Offence (in like manner as is to be done in the Offences enumerated) certify the ſame to the Commiſſioners, together with the Proof taken before them; and before the ſaid Certificate, the Party accuſed ſhall have Liberty to make ſuch Defence as he ſhall think fit before the ſaid Elderſhip, and alſo before the Commiſſioners, before any Certificate ſhall be made to the Parliament. And if the ſaid Commiſſioners after Examination of all Parties, ſhall determine the Offence ſo preſented and proved, to be ſcandalous, and the ſame ſhall certify to the Congregation,

gregation, the Eldership thereof may suspend such Person from the Sacrament of the Lord's Supper, in like manner as in Cases enumerated in any Ordinance of Parliament. 21 Caroli.

XV. That such Persons as shall be chosen for Commissioners to judge of notorious and scandalous Offences as aforesaid, shall be Men of good understanding in matters of Religion, sound in the Faith, prudent, discreet, grave, and of unblameable Conversation, and such as do usually receive the Sacrament of the Lord's Supper, as Members of a Presbyterial Congregation.

XVI. That if any Person shall commit any scandalous Offence (not enumerated in any Ordinance of Parliament) upon the Day of the Administration of the Sacrament of the Lord's Supper, in the Face of the Congregation after it is assembled, the Minister of that Congregation may forbear to administer the Sacrament to such a Person for that Time; and he shall within eight Days after certify the said Offence and Forbearance unto the Commissioners aforesaid; and upon Certificate so made, the said Commissioners shall proceed thereupon as in other Cases not enumerated, and shall make Certificate of the Case or Cases, with their Opinions, to both Houses of Parliament with all speed: And thereupon the Parliament shall proceed to a final Determination of the Case, and send the same Determination thereof to the Parish where such Offence shall have been committed: And as often as the like Case shall fall out in any Congregation, the Eldership thereof having Notice of such Determination, shall proceed thereupon as in Case of Offences enumerated in any Ordinance of Parliament.

XVII. That the said Commissioners upon Notice given to them, or any two of them, of any Case of Scandal befallen (whereof they ought to have Cognizance by virtue of any Ordinance of Parliament) shall assemble themselves in such certain Place within that Province, as may be most convenient for the ease of the People: And thereof shall give timely Notice to the Ministers of that Province whereof they are Commissioners, and being met shall adjourn their Meeting from time to time, for such time as the Case shall require.

XVIII. That the Eldership of each Congregation, or the Major part of them, as also the Classis of each Province, or Major part of them, and also the Provincial Commissioners, or the Major part of them, after they shall be assembled, shall have power by Warrant under their Hands (in all Cases whereof they have Cognizance by any Ordinance of Parliament) to covent before them all Persons against whom any Complaint shall be brought by virtue of any such Ordinance, for the Discovery of the Truth of such Complaint: And in Case any such Person shall refuse to appear, not being a Peer of this Realm, Member of the House of Commons, or Assistant of the House of Peers, or Officer of either of the Houses of Parliament, then upon Complaint made to the next Justice of the Peace, the Party refusing shall be brought before him; and in Case of obstinate persisting, shall be committed by the said Justice of Peace till he submit to Order.

XIX. That if any Member of a Congregation shall, by virtue of any Ordinance of Parliament, for any Offence of Scandal be suspended from the Sacrament of the Lord's Supper; and being so suspended, shall offer himself to any other Congregation to receive the Sacrament of the Lord's Supper together with them, such Congregation having Notice of such Suspension, shall not, without Certificate from the Congregation whereof he is a Member, admit him unto the Sacrament.

XX. That any Minister of a Congregation may be suspended from giving or receiving, and any *Elder* from receiving the Sacrament of the Lord's Supper, for the same Causes, and in the same Manner, and have the like Benefit of Appeal, as any other Person may by any Ordinance of Parliament. And after such Suspension of the *Elder* from the Sacrament, the *Elder* so suspended shall not execute that Office during his Suspension, until the Appeal be determined; and if upon Appeal the Suspension appear to have been just, then another to be chosen in his Place.

XXI. That in all Cases of Appeal to the Classical, Provincial, or National Assembly, they shall have power respectively to proceed thereupon by Examination of Witnesses and otherwise, in such manner as the Congrega-

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tional Eldership from which the Appeal ariseth are enabled to do by any Ordinance of Parliament, and shall certify their Proceedings unto the said Eldership.

XXII. That in Case of such Suspension of any Minister, the Classis whereunto the said Congregation doth belong, shall appoint some fit Person or Persons for the supply of such Place during the Suspension, and shall have Power to allow convenient Maintenance for that End, out of the Profits belonging to the Minister so Suspended; and have hereby Power to sequester and employ the same for that Purpose.

XXIII. That in all Cases of Suspension of any Person from the Sacrament, the Party suspended (upon Manifestation of his or her Repentance before the Eldership by whom the Party was suspended) shall be admitted again unto the Sacrament of the Lord's Supper, and the Suspension thenceforth shall be void.

Provided, That if the said Commissioners, or any two of them, shall not determine the Case so Certified as aforesaid from them to the Eldership, within six Weeks after the Certificate to them made, the Party is hereby enjoined to forbear coming to the Sacrament, until the Cause shall be determined, or until he give Satisfaction to the Eldership.

CHAP. VI.

Of the Affairs in and relating to Scotland, *1645.*

WE have before in the Year 1644. given some Account of the Victorious Proceedings of the Marquess of *Montross* in that Time: And to prosecute the Actions of that Nobleman, will comprehend the most remarkable Occurrences of that Kingdom in this Year, he making the Principal Figure therein at this Time.

Montross worsted at *Dundee, April* 4.

His first Attempt then was on the Town of *Dundee*; to which, upon (false Intelligence that the Covenanters Army, under Sir *John Hurray*, General of Horse, and Lieutenant-General *Bailey* (which before were quartered, some on the *South*-side and some on the *North*-side of the River *Tay*) were all gone over to the other side of the River, he march'd about Midnight, *April*, 3. from *Dunkelden* with so much Expedition, that he was at *Dundee* by Ten of the Clock next Morning, and summon'd the Town, who ('tis said) had Notice of his Advance, and promise of speedy Relief from *Hurray*; and so the Townsmen and Inhabitants, there being few Soldiers there, got themselves in a Posture of Defence. *Montross* sent down the greatest Part of his Forces, who storm'd the Town in three Places at once, gained one of the Forts, and possessing themselves of the Ordinance therein, turned them upon the Town, and set Fire on the Suburbs in several Places: In the mean Time *Montross* with about 500 Men stood on a Hill at some small Distance, not doubting of being Master of the whole Town, till the Scouts brought the Word that *Hurray* with 3000 Foot and 800 Horse was near approaching; whereupon he immediately gave Orders to his Men in the Skirts of the Town to retreat; which was difficultly obey'd, as being unwilling to Part from that Booty, and especially the Strong Drink they there met with: But in fine he got them off, the Enemy being almost within Musquet-shot, and so as well as he could, retreated, himself with his Horse bringing up the Rear: But in the Assault and Retreat lost great Numbers of his Men; and with much ado, and the Policy of a sudden wheeling to the *South-west* to baulk the Pursuers, Night growing on, and then next Morning turning *Northward*, and passing over *South-Esk*, at a Place not far from *Careston* Castle, and so to *Brechin*, he made his Escape to the Mountains. And tho' this Expedition was unfortunately (by the Misinformation of his Scouts) attended with Loss, yet considering all Things, as to the Valour and Prudence of the General, and the Hardiness and Patience of his Soldiers, who

who for Threescore Miles together were either in Fight, or upon a March, without any Refreshment, it may be numbred amongst one of the most remarkable Exploits of those Times.

21 Caroli.

His next Risque was at a Village called *Alderne* in *Murray*, near *Innerness*, *May* 4. where being pressed by *Hurray*, and fearing on the other side to be encompassed by *Bailey*'s Forces (for after the Battel of *Dundee* they had divided their Troops) he resolv'd by Necessity to engage *Hurray*, chusing the best Advantage of the Ground, whereon to expect the Enemy: Out of whose view, in a Valley, drawing up his Forces, and planting a few choice Foot with his Ordnance he committed the Right Wing to *Alexander Mac-Donnel* with 400 Foot and lodg'd them in Places fortified to their hand with Banks and Ditches, Shrubs and great Stones, enjoining him not to depart thence, but lye safe there, as a Reserve upon any Occasion; withal committing to him the *Royal Standard*, which *Montross* himself had usually born before him; hoping by the sight of that to engage the Enemy that way to their Disadvantage, whilst he took the Opportunity to infest them elsewhere: And this partly succeeded according to his Wish; only *Mac-Donnel* by a too rash Courage advancing out of his Natural Advantages, to meet and charge the Enemy, was overborn and put to flight: Tho' the Enemy's Wing, which *Montross* himself charged, was also routed: So that it seem'd a kind of drawn Game, and both Sides, as they had fought stoutly, pretended to the Victory, there being about 2000 Men slain upon the Place.

Fight between *Montross* and *Hurray* at *Alderne*, *May*. 4.

In the mean Time the Parliament met at *Edinburgh*, to whom the Parliament of *England* sent Commissioners: And the Assembly of the Kirk were busy, and drew up the following *Remonstrance*, which about the latter end of *June* was presented to the King at *Hereford*.

To the King's most Excellent Majesty.
The Humble Remonstrance of the General Assembly of the Kirk of *Scotland*.

As our Record is on high, and our Consciences bear us witness, so the many former Supplications and Remonstrances to your Majesty from this Kirk and Kingdom, our solemn Covenants, and the whole Course of our Proceedings from time to time, in prosecution of this Cause, do make known to the World, and we trust also to your own Conscience, our Loyalty and faithful Subjection, and how far our Intentions are from the Diminution of your Majesty's just Power and Greatness.

A Remonstrance of the Kirk of *Scotland*, presented to his Majesty at *Hereford*, about the 25th of *June*, 1645.

And altho' the Success of many of our humble Addresses to your Majesty hath been such as did frustrate our Desires and Hopes, yet this hath not blotted out of our Hearts our Loyalty so often professed before God and the World; but it is still our Souls desire, and our Prayers to God for you, That your Self and your Posterity may prosperously Reign over this your Ancient and Native Kingdom, and over your other Dominions.

And now as we have published a solemn and free Warning to the Noblemen, Barons, Gentlemen, Boroughs, Ministers, and Commons of this Kingdom, concerning the present Affliction of this Nation, and their Sins procuring the same; so when we call to Mind that God accepteth not the Persons of Men, and that the Greatest are not to be winked at in their Sins, we assure ourselves that the best and most real Testimony which we can give at this present of the Tenderness and Uprightness of our Affection to your Majesty's true Happiness, is this our humble and faithful Representation to your Majesty's great and growing Dangers, and the Causes thereof: Of which, if we should be silent, our Consciences would Condemn us, and the Stones themselves would immediately cry out.

The Troubles of our Hearts are enlarged, and our Fears encreased in your Majesty's behalf, perceiving that your Peoples Patience is above Measure tempted, and is like a Cart pressed down with Sheaves, and ready to break; while as besides many former Designs and Endeavours to bring Desolation and Destruction upon us, which were (and we Trust all of that kind shall be) by the marvellous and merciful Providence of God, discovered and disappointed: Our Country is now Infested, the Blood of divers of our Brethren spilt, and other Acts of most barbarous and horrid Cruelty exercis'd by the cursed Crew of the Irish *Rebels and their Complices, under the Conduct of such as have*

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Commission and Warrant from your Majesty. And unless we prove unfaithful both to God and to your Majesty, we cannot conceal another Danger which is infinitely greater than that of your Peoples Displeasure: Therefore we the Servants of the most High God, and your Majesty's most Loyal Subjects, in the Humility and Grief of our Hearts, fall down before your Throne, and in the Name of our Lord Jesus Christ, *who shall judge the World in Righteousness, both great and small, and in the Name of this whole Kirk which we represent, we make bold to warn your Majesty, That the Guilt which cleaveth fast to your Throne is such, as (whatsoever flattering Preachers or unfaithful Counsellors may say to the contrary) if not timely repented, cannot but involve yourself and your Posterity under the Wrath of the Everliving God: For your being guilty of the shedding of the Blood of many Thousands of your Majesty's best Subjects: For your permitting the Mass and other Idolatry both in your own Family and in your Dominions: For your Authorizing by the Book of Sports the Prophanation of the Lord's Day: For your not punishing of Publick Scandals, and much Prophaneness in and about your Court: For shutting of your Ears from the humble and just Desires of your faithful Subjects: For your complying too much with the Popish Party many Ways, and namely by concluding the Cessation of Arms in* Ireland, *and your embracing the Counsels of those who have not set God nor your good before their Eyes: For your resisting and opposing this Cause, which so much concerneth the Glory of God, your own Honour and Happiness, and the Peace and Safety of your Kingdoms: And for what other Causes your Majesty is conscious, and may best judge and search your own Conscience; (nor would we have mentioned any Particulars, if they had not been publickly known.) For all which it is high time for your Majesty to fall down at the Footstool of the King of Glory, To acknowledge your Offences, To Repent timely, To make your Peace with God through Jesus* Christ *(whose Blood is able to wash away your great Sins) and to be no longer unwilling that the Son of God Reign over you and your Kingdoms in his pure Ordinances of Church-Government and Worship.*

These Things if your Majesty do, it shall be no Grief of Heart unto you afterwards: A Blessing is reserved for you, and you shall find Favour with God, and with your People, and with the Churches of Christ. But if your Majesty refuse to hearken to this wholsome Counsel (which the Lord forbid) we have discharg'd our Consciences; we take God and Men to witness, That we are blameless of the sad Consequences which may follow; and we shall wait upon the Lord, who when he maketh Inquisition for Blood, will not forget the Cry of the humble. In the mean while beseeching your Majesty to take Notice, That we are not staggering or fainting through Diffidence of the Success of this Cause and Covenant of the Three Kingdoms; unto which, as God hath given manifold Testimonies of his Favour and Blessing, so it is our stedfast and unshaken Confidence, That this is the Work and Cause of God, which shall gloriously prevail against all Opposition; and from which, with the Assistance of the Grace of God, we shall never suffer ourselves to be divided or withdrawn; but shall zealously and constantly in our several Vocations, endeavour with our Estates and Lives the pursuing and promoting thereof.

But to return to the Field-Action of *Scotland.*

Montross defeats *Bailey* at *Alford, July 2.*

The next Engagement *Montross* had was with *Bailey*, at a Place called *Alford*, on the Second of *July*; where he gave the Command of his right Wing (on which side the Enemies Horse were most strong) unto the Lord *Gordon*, with *Nathanael Gordon*, an Old Commander, to be his Assistant: The Left Wing he dispos'd to the Earl of *Abony*, to whom was also joined Sir *William Rollock*: The Main Body were led by *Glengar*, and *Drumond* of *Ball* the Younger, unto whom he added *George Graham*, Master of the Camp, an expert Soldier: And the Reserve, which was altogether hid behind a Hill, was commanded by his Nephew *Napier*. Thus judiciously appointed, they smartly charged the Enemy, and after a brisk Dispute forced them to retreat. The Loss which *Montross* most regretted, being that of the Lord *Gordon*, who was there slain.

Montross's great Victory at *Kilsythe.*

But if *Montross* had here the Advantage, it was nothing comparable to that which not long afterwards he obtain'd at *Kelsythe*, not far from *Sterling*, where he utterly defeated *Bailey*'s Forces, and had the killing of them for Fourteen Miles together, and took all their Ordinance, Ammunition, Arms, and Spoil. *Argyle* (who was there) escaping to the *Scotish Frythe*, shipp'd himself in a Vessel and got out to Sea. Sir *William Murray* of *Blebe*, *James Arnot*, Brother to the Lord *Burghley*, Col. *Dice*, Col. *Wallis*, and others, were taken Prisoners.

And

And *Montrofs*'s Men gave out, That that Day they flew no fewer than 6000 of their Enemies, and that they themselves lost but Six Persons, whereof Three were Gentlemen of the Family of the *Ogilby*'s, who had the best Share of acquiring this Victory.

21 *Caroli.*

The next Day *Montrofs* march'd into *Cluidsdale*, and so to *Glascow*, taking that City into his Protection, and quarter'd his Army for some time at *Bothwell*, where several of the Nobility came in to him; as the Marquess of *Dowglass*, the Chief of that Name; the Earls of *Limmuck*, *Annandale*, and *Hertfield*; the Lord Barons of *Seton*, *Drummond*, *Fleming*, *Maderty*, *Carnegy* and *Johnston*, *Hamilton* of *Orbeston*, *Charter* of *Hempsfield*, *Tours* of *Innerliegh*, *Stuart* of *Resyth*, and *Dalyel*, a Brother of the Earl of *Carnwarths*; and indeed the whole Country seem'd to be at his Devotion; insomuch, that he sending Col. *Nathanael Gordon*, and a commanded Party of Horse to *Edinburgh*, to summon that City, and command them to set the Prisoners that were there detained, at Liberty, *viz.* *Lodowick* Earl of *Crawford*, Chief of the *Lindseys*, *James* Lord *Ogilby*, Son to the Earl of *Airley*, and others; the City immediately discharged the said Prisoners, and sent Delegates with them to *Montrofs*, beseeching his Favour to the City, and promising all Obedience to the King: Upon which, and for that the Plague was then very rife in that City, he forbore marching thither with his Army.

Noblemen that join'd with *Montrofs.*

Prisoners at *Edinburgh* released, and the City begs Favour of *Montrofs.*

The *Scots* Army in *England* hearing of these great Successes of *Montrofs* at Home, raised their Siege from before *Hereford*, and dispach'd Lieutenant-General *David Lesley* with most of their Horse for *Scotland*. And by Order of the Two Houses, the 5th of *September* was kept at *London* as a Day of Humiliation and Prayer, for the Cessation of the Plague, and other present Calamities of that Kingdom. The 6th of *September* *Lesley* passed the *Tweed*, and in *Scotland* muster'd Nine Regiments of Horse, Two Regiments of Dragoons, and Eight Hundred Foot, which were taken out of the Garrison of *Newcastle*, and other Forces rallied in that Kingdom.

David Lesley, with the Horse out of *England*, crosses the *Tweed* *Sept.* 6.

Montrofs had Instructions from the King to march towards the *Tweed*, to be ready there to join with a Party of Horse which should be sent him out of *England*: But these being the Horse under *Digby* and *Langdale*, which were so unfortunately routed at *Carlisle*-Sands, as we have mentioned before, his Expectations therein was frustrated: And therefore, fearing the Enemy would block up his Passage into the *North* and *Highlands*, resolved with those few Men he had (for many of the *Highlanders*, according to their Custom, having got store of Spoil, were run Home therewith) to march into *Niddisdale*, and *Annandale*, and the Country of *Aire*, that he might there raise what Horse he could; and so marched towards *Selkirke*, where he quarter'd his Horse in a Village called *Philip-Haugh*, and his Foot in a Wood hard by, resolving to make use of all Advantages of Ground, having on the one Hand a deep Ditch, on the other, Dykes and Hedges, which he caused to be lined with Musqueteers; and 'tis like had been better prepar'd, if he had not been deceiv'd by the Mistake of his Scouts, who assured him no Enemy was near. For tho' *Lesley*, after a Muster on *Gladesmors*, a Plain in *Lothianshire*, had quarter'd the Night before within four Miles of *Selkirk*, yet *Montrofs* had no Notice thereof till about Ten a Clock the next Morning, being *Saturday* the 13th of *September*, his Scouts came almost breathless to inform him, that *Lesley* was marching up within a Mile of him; and soon after came in View; whereupon *Montrofs* sent out a Party of 200 Musqueteers, who were forced to retreat in great Disorder; and then *Lesley*'s Van advanced, and for about an Hour (being from about Eleven a Clock till Twelve) the Battel was very fierce; *Lesley*'s Horse endeavouring to break through, and *Montrofs*'s Men with great Resolution maintaining their Ground; till at length *Lesley* charging very desperately at the Head of his own Regiment, broke the Body of *Montrofs*'s Foot, and put them into Confusion, and then his Horse being few, could make little Opposition; so that the Foot were almost all cut off, or taken Prisoners, amongst whom about an Hundred were *Irish*, who afterwards were all shot at a Post. *Montrofs* fought very bravely, and rallied his Horse, and charged the Pursuers once or twice, and by that Bravery lost more Men than otherwise he would have done. Here were taken Prisoners, the Earl of *Traquaine*, the Lords *Seto*, *Drummond*, *Ogilby*, *Gray*, and *Linton*; the Lord *Napier*'s

Montrofs routed at *Philiphaugh*, near *Selkirk*, *Sept.* 13.

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Prisoners taken.

pier's Eldest Son, Sir *William Rollock*, *O Chaen*, Lieutenant-General to the *Irish*, and many other Persons of Quality. All the Baggage; and with it the Marquiss's Commission from the King to be Governour of *Scotland*, and a *Roll*, wherein were the Names of all that either were come in to, or held Correspondence with *Montross*; which occasioned Trouble to many Persons afterwards.

Montross gets to the Mountains.

Montross with his shatter'd Forces being got beyond pursuit, made a Halt at a Town call'd *Peblis*, to refresh his Men, and by break of Day next Morning (by the Conduct of Sir *John Dalyel*) passed over *Cluid* at a Ford, resolving to make what haste he could into *Athole*, that taking his Rise there, he might draw what Forces he could raise of the *Highlanders*: Therefore passing first over the *Forth*, and then the *Ern*, and Marching through the Sherifdom of *Perth* by the Foot of the Mountains, he came thither, having sent before *Douglas* and *Airley* with a Party of Horse into *Angus*, and the Lord *Areskin* into *Marr*, that they might raise their Friends and Dependants in those Parts; and also dispatch'd Sir *John Dalyel* unto the Lord *Carnegy*, with Commissions for the same Purpose. But tho' he used all possible Endeavours, he could not afterwards raise any very considerable Army; tho' still he kept up his Forces, and by sudden Marches and Attempts did continually alarm and vex the Covenanters, who caused several of his Friends whom they had taken Prisoners, to be Executed; *viz.* Col. *Nath. Gordon*, Sir *William Spotswood* (lately Principal Secretary of *Scotland*) *Andrew Guthery*, Son to the Bishop of *Murray*, and *William Murray*, Son to the Earl of *Tullibardin*: But the Lord *Ogilby* made shift to escape; for pretending himself Sick, on that Occasion got leave for his Mother, Wife, and Sisters to visit him, and one of the Sisters lay down in the Bed in his stead with his Cap on, and he putting on her Gown, went freely away with the other Ladies: The Sister was question'd and much Threatned for this Contrivance; but by the help of the *Hamiltons* and *Lindsey*, to whom she was Related, was after some Time discharged.

Royalists put to Death in Scotland.

Montross was extreamly grieved for the Death of these his Friends, and endeavoured to Revenge the same: And when at last, after the King's going to the *Scotish* Army in *England*, he received his Majesty's Order to dismiss his Forces, and retire out of the Kingdom, he submitted thereunto (tho' not without some Reluctance, as believing those Commands extorted from the King), and with several of his choicest Friends Embark'd at the Haven of *Stanhyve*, and Sail'd into *Norway* on the 3*d* of *September* 1646. and in the Four and thirtieth Year of his Age.

Letters from the Scots Parliament to the City of London, Jan 27. 164⅝.

Right Honourable,

YOur several Addresses to the Honourable Houses of Parliament, and the Relation of our Commissioners, hath given us so perfect Knowledge and deep Impression of your Affection and true Zeal for the Reformation of Religion, and Uniformity of Church-Government, as hath much refreshed us in our greatest Difficulties, and doth far exceed our Acknowledgments.

Your constant Care of Advancing and Furnishing very great Sums of Money to the Armies who stand for Defence of Religion, and just publick Liberty of the Subjects in all the three Kingdoms, is an evident Demonstration how much you prefer the good of the publick to the private Interest: And your special Regard in chearfully supplying the Armies of this Kingdom with Money and other necessary Provisions, in the Times of their most urgent Necessities, hath so greatly endeared unto us the Brotherly Affection of that famous City, as will not only be a real Tye of Amity for the present, but will likewise lay a firm Foundation of reciprocal Kindness and inviolable Friendship for all succeeding Ages. And as the many real Proofs of your Affection and Fidelity, in doing and suffering for the Cause of God, gives unto us full Persuasions and Confidence of your Constancy for promoting thereof, 'till (by God's Blessing upon the joint Endeavours of both Nations) Truth with a just Peace (which is the highest of our Desires) be settled in all the Kingdoms: So do we conceive it suitable to your Deserts, and agreeable to the Gratitude of this Kingdom, to return you most hearty Thanks; and to assure you, That all our Actions shall witness the Candor and Sincerity of our Intentions, and most

earnest

A Descript EFAX: as they were drawn into several Bodies at the

earnest Desires to embrace and improve all Opportunities which may conduce to the Prosperity of your City, and testify the Brotherly Affection of

St. *Andrews*, 27. *Jan.* 164⅚. — *Your most Loving and Faithful Friends,*

For the Right Honourable the Lord Mayor, Aldermen, and Common-Council of the City of London.

Crawford *and* Lindsay.
President of Parliament.

Letter from the Parliament of Scotland to the Assembly of Divines at Westminst. Feb. 3. 164⅚.

Right Honourable and Reverend,

THE large and abundant Proof you have given now a long Time of your Sincerity, Constancy, and unwearied Painfulness in advancing and setling the Affairs of Christ, together with your Vigilancy and Circumspection against any Way destructive to the Unity desired and intended in our Solemn League and Covenant, remonstrated to us by the General Assembly, and their Commissioners from Time to Time; as it doth comfort us in all the sad Sufferings of this Land, so shall you receive the sweet Reward of your toilsome Labours in that Work so acceptable to God; and thereby your Name shall be famous to all Churches abroad, and your Memory gracious to Posterity.

And altho' the Honourable Houses of Parliament in that Kingdom are exercised with such Difficulties as occasion these long Delays of establishing the Government of the Church agreeable to the Word of God, and the best Reformed Churches; yet are we confident, that (by the Blessing of God upon the Endeavours of the Honourable Houses) their Wisdom and Zeal will break through all Difficulties and Delays, for settling that Government to our common Joy, whereby the Hearts of the Lord's People, fainting under languishing Expectation, may be comforted, the Adversaries frustrated of their vain Hopes, deluding Errors suppressed, dangerous Schisms may be prevented, and gross Prophanity, and every Thing which is against the Power of Godliness may be banished away; for which we have more fully represented our most earnest desires to the Honourable Houses; and withal, do certify our Confidence and firm Resolution by the Lord's Assistance, from his All-sufficiency, That we shall give constant and real Testimony to our dear Brethren of *England*, and to all the World, who shall impartially Consider our Proceedings, that no Difficulties, no Dangers, nor Sufferings whatsoever, shall make us swerve from the mutual League and Covenant, nor from the active Prosecuting the Ends thereof, by all possible and lawful Means, to the utmost of our Power. We rest,

St. *Andrews*, *Feb.* 3. 164⅚. — *Your Loving and Faithful Friends,*

For the Right Honourable and Right Reverend the Assembly of Divines at Westminster.

Crawford *and* Lindsay.
President of Parliament.

A Letter from the Parliament of Scotland to the two Houses of Parliament in England, Feb. 3. 164⅚.

Right Honourable,

THE Estates of Parliament of this Kingdom have considered the Desires of the Honourable Houses concerning the Garrisons Placed by the *Scotish* Army, in the Towns and Castles of *Carlisle*, *Newcastle*, *Tinmouth*, *Hartlepool*, *Stockton*, *Warkworth* and *Thirlwal*, expressed in the Letter of the 13*th* of *November* last; and have sent Instructions to their Commissioners to give such an Answer to the Honourable Houses, as they are confident may serve most for promoting the Cause wherein both Kingdoms are so highly engaged, and carrying on the War to the best Advantage.

They have further given Direction to their Commissioners to make known to the Honourable Houses, the earnest Desires of this Kingdom for the setling of Religion and Church-Government (which, as it was the Principal Ground of their Engagement in this Cause, so will the perfecting of it be their chiefest Joy, and Glory of both Kingdoms) and their Propension for carrying on the War with the United Affection, and Forces of both Kingdoms; and that no good Means be left un-assayed for attaining a firm and lasting Peace, it being the constant Resolution of this Kingdom against all Opposition, to strengthen and cherish the Unity and Brotherly Kindness between the

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the Kingdoms; and Peace settled with Truth, and these Things performed by the Honourable Houses (which by Treaty they are obliged unto) to recall the *Scotish* Army with as great Alacrity as they were ready to send the same into *England* for the Assistance of their Brethren.

The Inconstancy of the Weather in this Season hath been an Impediment to the Passage betwixt this and *Ireland*, so as they have not yet had an Answer to their Letters sent hither concerning *Belfast*; but they have commanded their Committee to return Answer to the Honourable Houses in that particular, how soon they shall receive Information concerning the same. We are,

St. *Andrews*, 3. *Feb.* 164⅘.
For the Right Honourable the Lords and Commons assembled in the Parliament of England *at* Westminster.

Your Affectionate Friends, and Humble Servants,
Crawford *and* Lindsay.
President of Parliament.

Another Letter from the same to the same, dated also the same Day.

Right Honourable,

AS the Parliament of the Kingdom doth Acknowledge the Zeal and Endeavours of the Honourable Houses of Parliament, for the good Progress already made towards Reformation of Religion, and Uniformity of Church Government: So it is expected, that (when they shall Seriously consider the Brotherly Affection and great Sufferings of this Kingdom, who from a Peaceable Condition which we formerly enjoyed, did engage ourselves in a Dangerous and Bloody War with *England*, against their Enemies, when their Affairs were in the hardest and lowest Condition, upon a mutual League and Covenant to settle Religion and Church Government, according to the Word of God, the Practice of the best Reformed Churches, and as might draw the nearest Uniformity betwixt the two Kingdoms, (which was Acknowledged to be the chief Ground of craving Aid and Assistance from this Kingdom) the Honourable Houses will now (after so mature Deliberation) add their Authority and civil Sanction without further Delay, to what the Pious and Learned Assembly of Divines, upon mature and accurate Debates, have advised to be most agreeable to the Word of God; and perfect what remains to be done in the Work according to the Covenant; which I am commanded by the Parliament of this Kingdom to demand, and do accordingly in their Names demand of the Honourable Houses of Parliament of *England*: The Performance whereof will be most acceptable to this Kirk and Kingdom, as a special Recompence of the Labours and Blood which hath been shed in assisting you to promote the Cause of God, and will be a Means to procure God's blessing upon the Proceedings and Undertakings of both Kingdoms. And the Parliament of this Kingdom is persuaded, That the Piety and Wisdom of the Honourable Houses will never admit Toleration of any Sects or Schisms, contrary to our Solemn and Sacred Covenant.

The next Desire of the Parliament of this Kingdom (and which of all things next to Truth is most desirable) is, That all lawful Means be used for attaining a just and well-grounded Peace: For which End, I am commanded to desire, and do accordingly in the Name of the Parliament of this Kingdom desire, That the Propositions of Peace be dispatched to his Majesty, and may be so Pursued and Managed, as may best Procure the settling of Truth and Peace, that there may be an End of the great Distractions and Unnatural War of all the three Kingdoms.

This Kingdom lieth under the Burthen of great and vast Expence in raising and entertaining Armies; and hath with the Loss of the Lives of many precious Men, set their own Houses on Fire to quench the Flame of yours, and almost destroyed their own Nation to preserve yours. And seeing the seasonable Assistance afforded by this Kingdom to you, and by the late Successes wherewith God hath blessed your Armies, you are in a great Measure freed of your Trouble, and are in a far better Capacity to pay the Money due to our Armies in *England* and *Ireland*, than you were at any Time since the beginning of these Wars, I am likewise commanded by the Parliament of this Kingdom to demand, and accordingly do in their Name demand of the Honourable Houses of Parliament, to make Payment before the Third of *May* next,

next, of the Sums of Money duly owing by them to this Kingdom, and their Armies in *England* and *Ireland*, according to the Treaties between the Two Kingdoms (the Account whereof will be given in by our Commissioners) that this Kingdom may be thereby relieved of the great Burthens and Pressures of our Debts contracted in this Cause, and be enabled and encouraged for joint carrying on of the War, till the Church of God be settled in Purity and Peace.

And it is further craved from the Justice of the Honourable Houses of Parliament, That they will take into their serious Consideration the great Losses sustained by this Kingdom at Sea, through the not Attendance of their Ships upon our Coasts, according to the Treaty, and make Reparation thereof; and of the Losses which *Scotland* hath sustained by the *Irish* Invasion, which the Kingdom of *England* is bound to suppress by the large Treaty. In all which, the Desires of the Parliament of this Kingdom are no other than, That Religion and Church-Government may be settled according to our Covenant: That the War may be carried on with Brotherly and constant Affection, by the Joint Counsels and Forces of both Kingdoms: That a well-grounded and durable Peace may be endeavoured betwixt the King and his Subjects: That Payment be made of the Sums due to this Kingdom and our Armies by Treaty; and that (against the Malice of our open Enemies, and secret Plots of such as for their own Ends are labouring to sow Sedition betwixt Brethren tied by so many Relations) mutual Amity and Union between the Kingdoms may be strengthned and perpetuated to all Posterity. We rest,

St. *Andrews*, 3. *Feb.* 164$\frac{5}{6}$.
For the Right Honourable the Lords and Commons assembled in the Parliament of England *at* Westminster.

Your Affectionate Friends, and Humble Servants,
Crawford *and* Lindsay,
President of Parliament.

Right Honourable,

A Letter from a Committee of the Parliament of *Scotland* to the Two Houses of Parliament, in *England*, *Feb.* 10. 164$\frac{5}{6}$

Being appointed by the Parliament of this Kingdom, now adjourned, to keep Correspondence with the Honourable Houses of Parliament of *England*, and being intrusted with the Pursuance of their Desires for the furtherance of the Common Cause, and the publick and mutual Good of both Kingdoms; We do in the Name of the Parliament, and by their Authority certify, That this Kingdom, notwithstanding all their Sufferings and Discouragements, are not moved or shaken from their former Resolutions and Vows, but will live and die with their Brethren of *England*, in the Prosecution of the Ends expressed in the Solemn League and Covenant: Being confident of the like Inclination and Resolution of the Parliament and Kingdom of *England*, against all such groundless Suspicions and needless Jealousies to the contrary, as bad Instruments from the Beginning to this Day, have been, from their Envy of our common Happiness, and for their own private Ends, inventing and suggesting; that all the common Troubles which both Kingdoms have endured, may end in a publick Tragedy, to the Scandal and Grief of the Reformed Churches, the hardning and strengthning of our common Enemies, the making of ourselves the Instruments of our own mutual Ruin and Destruction; and, which is most of all, the Dishonour of the great Name of our God, with whom we have entred in Covenant for the Propagation of the Gospel, and the Advancement of the Kingdom of his Son.

For the present, according to the Trust committed unto us, we make our Address to both Houses in the Particulars following, and do not doubt but we shall receive such Satisfaction as may be a real Testimony of their Justice and Brotherly Kindness. Upon Information from our Commissioners there, the Parliament before their adjourning did understand what was written by one calling himself *Robert Wright*, and informed by another whose Name was kept in the Dark, and confirmed by a Letter of Mr. *Jermin* to the Lord *Digby*, against this Kingdom, their Army in *England*, and their Commissioners there. The Accusations are of so high a Nature, and so sophistically insinuated, that the Parliament, which during their sitting, were upon all Occasions endeavouring the best Ways of the preserving the happy Conjunction of the Two King-

Ann. 1645. Kingdoms, were much affected therewith, as a Matter wherein they were much concerned, both for their own Vindication, and the Satisfaction of their Brethren. If there shall be any Matter or Ground of such Accusation found against any Person of this Kingdom, or our Army, or any of our Commissioners, we are no less willing that it be examined, and Punished to the full, than we Desire and Expect that the like be done against any in *England*, that Transgress in that Kind; which is conform to our Covenant, wherein we all Swear, *With all Faithfulness to Endeavour the Discovery of all such as have been, or shall be Incendiaries, Malignants, or Evil Instruments, by hindering the Reformation of Religion, dividing the King from his People, or any of the Kingdoms from the other that they might be brought to publick Trial, and receive condign Punishment, as the degree of their Offences shall require or deserve.* But let us desire and expect from our Brethren, all Charity, Tenderness, and Respect to this Kingdom and Army, and Commissioners, of whose Faithfulness they have had so large and manifold Experience, and in their several Letters to this Kingdom did give them so ample Testimonies; that no Aspersion or Suspicions lay upon them, by concealing the Names of any Persons who can be discovered. And therefore, according to the Trust committed unto us, we do desire in Name of the Parliament and Kingdom of *Scotland* (if that *Robert Wright* be not yet found out, who he is; and that *hidden Knight*, after so long a Time be not yet unsecreted, and made known by Name) all Means may be used for discovering the one, whose Letters have been so frequently Produced before the Committee of both Kingdoms; and revealing the other to our Commissioners, which is in the Power of some of the Members of the House of Commons to do; that both Kingdoms may be satisfied when the Truth is brought to light, and all such Jealousies and Misunderstandings may he prevented for the future.

We do also represent to the Honourable Houses of Parliament, That this Kirk and Kingdom is more scandalized and grieved in the Matter of Religion, which immediately concerneth God and his Honour, than in any Thing on Earth touching themselves and their own Name.

A *Directory* for the Worship of God is agreed upon in the Assembly, and authorized by both Kingdoms, and Practised Carefully by this Church; but the *Service-Book* still retained in some Places of *England* under the Parliament's Power, and the *Directory* very much slighted, and by some avowedly written against. Instead of the intended Unity of Religion, Blasphemous Errors, Heresies, Sects, and Schisms, are increased and multiplied through the want of Church-Government. The National Assembly of this Kirk in their Answer to the Declaration of the Parliament of *England*, of the date *July* 1642. profess, *That themselves and all the well-affected within the Kingdom, are exceedingly grieved and made heavy, because the Reformation of Religion had moved so slowly, and suffered so great Interruption.* And the Lords and Commons in Parliament assembled, in their Reply did profess, *That the miserable Estate of the Church and Kingdom was not able to endure any longer Delay.* Like as in their Declaration sent to the general Assembly, they profess, *That they do not doubt but to settle such a Reformation of the Church, as should be most agreeable to God's Word.* And in the aforementioned Reply do declare, *That their purpose is to Consult with Godly and Learned Divines, that they may settle such a Government as may be most agreeable to God's most holy Word.*

Some Commissioners from this Kirk have attended the Assembly of Divines there, for the space of two Years and a half; and long ago the Assembly have offered their Advice to both Houses, yet can we hear nothing of the settling of a Government; but upon the contrary, if a real Growth of all Sects and Errors, and of great Endeavours for *Toleration* thereof; which maketh us and this Church and Kingdom, who cannot understand where the Difficulty and Obstruction lieth, to wonder at so long a Delay; wherein we are very much Interested, not only in Relation to the Glory of God, our mutual League and Covenant, and the Peace and Happiness of that Church and Kingdom; but also in Regard to the Unity of Religion amongst ourselves, and of the Peace of this Kingdom, which cannot be long preserved from so dangerous Contagion; which would be more grievous and intolerable unto us, than all our Troubles and Sufferings have been: And therefore from all these Considerations, in Name of this Kingdom and Parliament, we do in

all earnestness Desire, That Church-Government may now at last, without further Delay, be settled according to the Covenant.

We do in like manner Press what hath been Solicited by our Commissioners for the space of eight Months past, That the Propositions of Peace, after so much Debate and Deliberation agreed upon unanimously by both Kingdoms, the most Material whereof have been fully Treated upon at *Uxbridge*, may be forthwith sent to his Majesty; wherein this Kingdom is more earnest, that they know not the Cause why the sending of these Propositions is so long suspended: They long for the End of this unhappy War, by the happy settling of Religion and Peace; and so much the more, that they do perceive some would make use of the Continuance of these Wars, to raise and foment Jealousies and Differences betwixt these Kingdoms, and to separate those whom God hath so strictly tied for so good Ends, by so many Bonds and Relations; and we are confident will never suffer to be divided, but still continue them in a firm and blessed Conjunction against all Machinations of Satan and his Instruments: Which shall ever be the settled Resolution and constant Endeavour of

St. *Andrews* 10. *Feb.* 164⅘.

For the Right Honourable the Lords and Commons assembled in the Parliament of England *at* Westminster.

Your Lordships most Affectionate Friends, and Humble Servants,

Loudoun, *Cancellarius.*

I. P. D. Com.

Letter from the General Assembly of the Presbytery in *Scotland*, to the Assembly of Divines at *Westminster*, *Feb.* 12. 164⅘.

Right Honourable and Reverend,

YOur Letter of the 15*th* of *January* did refresh us not a little; for therein we beheld (that which we also heard by the particular Relation of the Right Honourable the Lord Chancellor, and the Lord *Wareston*, Witnesses of all) the Work of your Faith, the Labour of your Love, the Patience of your Hope, your Constancy in Well-doing, your Sympathy and Bowels of Love towards us your Beloved and Covenanted Brethren; your holy Zeal for the Lord, your Painfulness and Diligence to have his Temple purged of all Errors and Schisms, and his Government established and settled on the right Foundation; your Watchfulness to hold fast our solemn League and Covenant, to entertain the Brotherhood and Unity between the Nations, to shun every Thing destructive thereof, and contrary thereunto: For all the lively and lovely Expressions whereof, we cannot but bless the Lord, rejoyce in your behalf, and gather Hopes of a very rare Blessing to ensue upon your faithful Labours.

We are confident that the Master-builder shall appoint and reward your Work, and strengthen your Hearts and Hands, that you shall see with Comfort the sweet Fruits of all your Pains, and transmit to Posterity that which shall make your Name to be had in everlasting Remembrance, and to smell as a precious Ointment to After-Ages. We are not Ignorant with how many Difficulties you are compassed; but we Trust, that your seeking of the Lord shall not be in vain; for not by Might, nor by Power, but by the Spirit of the Lord of Hosts shall the Mountains be made Plain, and the Head-stone of the Building be brought forth with shoutings. Many go about to cut asunder the Staves of Beauty and Bonds, and to break the Brotherhood between *Judah* and *Israel*; but blessed be the Lord your God, who hath filled your Hearts with a better Spirit, even his own Spirit, a Spirit of Wisdom and Understanding, a Spirit of Unity and Verity; the Fruits and Operations whereof, as they have been hitherto, so we doubt not they shall be hereafter Manifested more and more in your constant Care and Endeavours with the Honourable Houses of Parliament, for establishing the Government of the Church conform to the Word of God, and the Example of the best Reformed Churches, and for removing all Jealousies, and preserving entire Unity between the Kingdoms; which hath been, and ever shall be among the chiefest of our Desires and Travels here.

We do and shall rejoyce in all our Undertakings, Engagements, and Sufferings for you and with you, and are resolved to spend and be spent for your good, for promoting and settling the great Affairs of the Kingdom of our Lord among you, and for making his *Jerusalem* a Praise in the Earth; that all

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all with one heart and one consent may serve and glorify him in the Unity of Doctrine, Worship, and Government. This is the Sum of all our Desires and Designs, which this worthy Bearer the Lord *Waryston*, can at greater length make known unto you. Now unto our God, who will perfect that which he hath begun, and hasten the Day wherein all the Sons and Daughters of *Judah* shall rejoice, and cry with shouting, *Jerusalem* is built, and *Babylon* is fallen; we recommend you and your Labours in this great Work.

St. *Andrews*, 12. *Feb.* 164⅘.
For the Right Honourable and Right Reverend the Assembly of Divines at Westminster.

Subscribed in Name and by Command of the Commission of the General Assembly, by
Mr. Robert Dowglas, *Moderator.*

CHAP. VII.

Occurrences in the Kingdom of Ireland, *or relating thereunto, in the Year* 1645.

OF the Cessation made in *Ireland*, as also of the Lord *Inchiquin*'s opposing it, and siding with the Parliament, we have before, in the Year 1644 given an Account: Which Cessation, tho' not well observed by the *Irish*, yet being still continued, much Action cannot be expected; those that adhered thereunto, spending the Time in Treaties, in order to the concluding of a Peace; and for those that renounced the said Cessation, many of the *Scots*, by reason of *Montross*'s Successes there, were recalled home, and Supplies as yet came but slowly from *England*, so that they were not able to effect much; yet some Rancounters did occur, which are here to be mentioned.

The *British* Forces of *Ulster* make an Expedition into *Connaught*, *June*, 1645.

The *British* Army in *Ulster* having received a Month's Victuals from the Parliament of *England*, about the 17*th* of *June* 1645. advanced out of their several Quarters, with about 4000 Foot and 600 Horse (not being able to march with Ordnance, for want of Carriages): They came to a Rendezvouz near *Augher*, *June* 20. Sir *Robert Stewart* (by consent) commanding in Chief for that Expedition. Then they pass'd over at *Iniskillin*, and sent a Party of 500 Foot and 100 Horse to *James*-Town, over the *Mosses*, the nearest Way, to join the *Connaught* Forces in the Garrisons thereabouts, and to advance into the County of *Roscommon*, to seek for Booty for Relief of the Army, and to come up to a Rendezvouz five or six Days after with the Army at *Bellinafad*, near the Abby of *Boyle*. The Main Body marched *June* 24. to *Mannor-Hamilton*, and sent out a Party of Horse commanded by the Lord *Montgomery*, who advanced to the Borders of the County of *Mayo*; but understanding the Country was all deserted, his Lordship attended the coming up of the Army at *Aghaconry*, near which Place several Castles were kept by the Rebels, which fired upon that Party in their Passage by; but most of them were either taken by the Army as they marched up, or deserted: Amongst which one strong Castle, held by one Captain O *Hara*, was taken by the Soldiers without Command; for being at a Halt near it about Twelve a Clock, and seeing some Poultry under the Walls, some of the Soldiers ran down to get them for their Dinners; and some Shots being made at them by the Castle, they answered them again; which caused others to advance to their Rescue; and so after an Hours Service, and Two or Three kill'd, and some hurt without and within, they forced the Rampire, and put Fire to the Gate; whereupon Quarter was earnestly called for, and granted at Discretion: In the Place they found good Store of Provision, about Fifty Cows, and some Arms and Ammunition.

June 29. The Army marched towards their Rendezvouz at *Ballinafad*, where the Lord *Montgomery* and his Party came up again to them with a Booty of 500 Cows; and the *Connaught* Horse joined with them, being Five

good Troops, and a Hundred Dragoons; and so sending out Parties to forage the adjacent Countries, having got great Numbers of Cows, Sheep, Horses, *&c.* they came up to *Sligo* about the beginning of *July*, and took that Town after two days Battery with Three or Four pieces, which they took from aboard the Ships that brought the President of *Connaught*'s Provision: There were slain about 160 of the *Irish* Party; the Protestants lost about 12 at the entring of the Breach, and some wounded. There were 500 Soldiers placed in Garrison under Sir *Robert Stewart*, and a proportion of Victuals assigned them out of the Booty, and the rest divided amongst the Army, being in all near 3000 Head of Cattle: And so the *Ulster* Forces retreated homewards to their Quarters, where they arrived about *July* 13.

21 *Caroli.*

Sligo taken, *July* 7.

But the *Irish* were resolved to attempt the regaining of that Town; and therefore on *Sunday* the 17*th* of *October*, 1645. surrounding it with above 1000 Foot, and 300 Horse; whereupon the Garrison conceived it absolutely necessary to hazard the fighting with them with their own Strength, and Sir *William Cole*'s, Troops, rather than to starve themselves, and lose their Out-Garrisons, which were blocked up, the Enemy lying between them; so Captain *Coote* and Captain *Cole* commanding out 200 Horse, charged the Rebels Horse very resolutely, and beat them within the Divisions of their own Foot: And Lieutenant-Colonel *Sanderson* at the same time sallying out of the Town with his Foot, and Sir *Francis Hamilton* coming in the Nick of time with his Troop, they had all Execution upon them for Five Miles; and took 150 Horse, with their Arms, their Tents, and other Ammunition; several Colours of Horse and Foot, and many Officers of Note, to the Number of about 28 Prisoners, and about 200 kill'd, and amongst them the Archbishop of *Tuam*, the Rebels President of *Connaught*, and one of their Supreme Council of *Kilkenny*, who attended their Army at this time to visit his Diocess, and to put in execution an Order for the Arrears of his Bishoprick granted to him by the said Council: Which Order, together with a Bull of the Popes, and several Letters of Correspondence between him and his Agents from *Rome*, *Paris*, and other Parts, were found amongst his Baggage; and particularly, the Copy of certain Articles of Agreement, purporting to have been made between the Earl of *Glamorgan* and several of the chief of the Rebels the *August* before, in these Words:

The Archbishop of *Tuam* slain.

'Whereas in these Articles touching the Clergy-Livings, the Right Honourable the Earl of *Glamorgan* is obliged in his Majesty's behalf to 'secure the Concessions in these Articles by Act of Parliament: We holding 'that manner of securing those Grants as to the Clergy-Livings, to prove 'more difficult and prejudicial to his Majesty, than by doing thereof and securing those Concessions otherwise; as to the said Livings, the said Earl 'undertaking and promising in the behalf of his Majesty, his Heirs and Successors, as hereby he doth undertake, to settle the said Concessions, and secure them to the Clergy and their respective Successors in another secure 'way, other than by Parliament, at present, till a fit Opportunity be offered 'for securing the same, do agree and condescend thereunto: And this Instrument by his Lordship signed, was before the perfecting thereof intended to 'that purpose as to the said Livings, to which purpose we mutually signed this 'Indorsement: And it is further intended, That the Catholick Clergy shall 'not be interrupted by Parliament or otherwise, as to the said Livings, contrary to the meaning of these Articles.

Glamorgan.

Copia Vera colata fideliter cum Originali, Thomas Cashel, Fra. Patricius Waterford & Lismore.

This is a true Copy of the Original Copy found in the Archbishop of Tuam'*s Carriage; compared by us,* Arthur Annesley, Robert King.

'I *Ed-*

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The Earl's Oath.

'I *Edward* Earl of *Glamorgan* do proteſt and ſwear, faithfully to acquaint the 'King's moſt Excellent Majeſty with the Proceedings of this Kingdom, 'in order to his Service, and to the Endearment of this Nation, and punctual 'Performance of what I have (as authorized by his Majeſty) obliged my-'ſelf to ſee performed; and in default, not to permit the Army intruſted in-'to my Charge to adventure itſelf, or any conſiderable Part thereof, until 'Conditions from his Majeſty, and by his Majeſty, be performed.

Sept. 3. 1645. *Glamorgan.*

Copia Vera concordans de Verbo ad Verbum fideliter cum Originali, Tho. Caſhel.

This is a True Copy of the Original Copy found in the Archbiſhop of Tuam's *Carriage; compared by us,* Arthur Anneſley, Robert King.

When this Treaty came to be known, the Earl of *Glamorgan* was committed to Priſon by the Lord *Digby*, one of the Principal Secreteries of State to his Majeſty, who was then in *Ireland*, and gave the following Account thereof to Secretary *Nicholas*.

To Secretary Nicholas.

Lord *Digby's* Letter to Secretary *Nicholas*, *Jan.* 4. 164⅚.

My good Brother,

YOU will receive by this Diſpatch a particular Account from my Lord Lieutenant, of the State of the Treaty here, and of thoſe Conditions upon which he was hopeful ſuddenly to have concluded ſuch a Peace, as would have afforded his Majeſty powerful and timely Aids from this Kingdom, had not the unfortunate Madneſs (for I can give it no other Name) of my Lord of *Glamorgan*, and the neceſſary Proceeding thereupon, caſt all Things back into a Poſture as uncertain and more dangerous than ever: You will receive from my Lord Lieutenant, and the Council here, a punctual Relation of the Matter of Fact; and it is referred to me to convey unto you, and by you to his Majeſty, the Circumſtances and Reaſons of the whole Proceeding againſt his Lordſhip.

About ten Days ſince, Matters of the Treaty growing near to a Concluſion, and in confidence thereof, Preparations being made by my Lord of *Glamorgan* and the *Iriſh*, (as they aſſured us) for the ſpeedy ſending over of Three Thouſand Men for the Relief of *Cheſter*, which were to be made up Ten Thouſand before the Beginning of *March*: It was thought neceſſary that we ſhould confer with the ſaid Earl of *Glamorgan*, and ſome of the *Iriſh* Commiſſioners, to the End that before my Lord Lieutenant's final Conſent to the Articles of the Treaty, the Buſineſs of the King's Supply might be reduced from Diſcourſe to a Certainty, and directed in the moſt advantageous Way for his Service: To which End (we little ſuſpecting then what was ſince diſcovered) the ſaid Earl of *Glamorgan*, and ſome of the *Iriſh* Commiſſioners then at *Kilkenny*, were earneſtly invited hither both by my Lord Lieutenant and myſelf.

Upon *Monday* laſt, the Day before the ſaid Earl of *Glamorgan* was expected in Town, my Lord Lieutenant received out of the *North*, from an honeſt and well-affected Perſon, the Copy which is ſent you of my Lord of *Glamorgan's* Articles and Oath with the Confederate Catholicks, aſſured to have been found in the Titular B^p of *Tuam's* Pocket, killed in *Octob.* laſt at *Sligo*. At firſt the Thing appeared ſo impoſſible, as that we were apt to think it a Forgery and Plot againſt the King, of the Parliamentary Rebels; 'till conſidering the Circumſtances, Formalities, and Punctualities thereof, we grew to apprehend ſomewhat more in the Matter; and ſoon after, a Second and Third Copy of the ſame coming to other Perſons, all with Letters to the Effect of this incloſed, it was then thought high time to take the Buſineſs into moſt ſerious Conſideration: Which being done by my Lord Lieutenant and myſelf, aſſiſted by ſome of the wiſeſt and beſt-affected Perſons here, we ſoon concluded, That if theſe Things were once publiſhed, and that they could be believed to be done by his Majeſty's Authoriy, they could have no leſs fatal an Effect, than to make all Men, ſo believing, conclude all the former Scandals caſt upon his Majeſty, of the

the inciting this *Irish* Rebellion, true: That he was a Papist, and designed to introduce Popery, even by Ways the most Unkingly and Perfidious: And consequently that there would be a general Revolt from him of all good Protestants, with whom this Opinion could take Place. 21 *Caroli.*

Now when we consider the Circumstances convincing the Truth of this Transaction on my Lord of *Glamorgan*'s Part, and how impossible almost it was for any Man to be so Mad, as to enter into such an Agreement, without Powers from his Majesty; and there being some Kind of a formal Authority vouched in the Articles themselves; we did also conclude, That probably the greatest Part of the World, who had no other Knowledge of his Majesty than by outward Appearances, would believe this true, and do according to that Belief, unless his Majesty were suddenly and eminently Vindicated by those who might justly Pretend to know him best. Upon this Ground it was also concluded by us, That less than an Arrest of the Earl of *Glamorgan* upon Suspicion of High Treason, could not be a Vindication of his Majesty eminent or loud enough; and that this Part could not properly nor effectually be performed by any other Person than myself, both in Regard of my Place and Trusts near his Majesty: That the Business of *Ireland* had passed for the most Part through my Hands: That I attended his Majesty about the Time of the Date of his Majesty's pretended Commission: That since that Time I had by his Majesty's Command written to the *Irish* Commissioners a Letter, whereof I send you a Copy, so diametrically opposite to the said Earl's Transactions: And lastly, in Regard that my Lord Lieutenant, to whom otherwise his Majesty's Vindication in this Kind might properly have belonged, was generally thought to be unworthily cozened and abused in the Matter, in Case there were any such secret Authority given by his Majesty to the Earl of *Glamorgan*.

This being our unanimous Judgment of what was fit to be done, and by whom, the only Question then remaining, was to the Point of Time; in which we were also of Opinion, that if it were deferred till the Business growing Publick otherwise, should begin to work its Mischief, his Majesty's Vindication would lose much of its Force, and be thought rather applied to the Notoriety than to the Impiety of the Thing; and rather to the pernicious Effects, than to the detestable Cause itself: Notwithstanding, I must confess unto you, That the consideration of Frustrating the Supplies of three thousand Men, which were so confidently affirmed to be in Readiness for the Relief of *Chester*, in Case the Condition of that Place could not bear the Delay which this might Occasion, wrought in us a very great Suspension of Judgment, whether the Proceedings against my Lord of *Glamorgan* should not be forborn till that so necessary Supply were sent away. But the Case being more strictly examined, we found, First, That by the Lord of *Glamorgan*'s Oath, the Forces were not to be hazarded till his Majesty's Performance of the said Earl's Conditions. And Secondly, That the Supply was never Intended by my Lord of *Glamorgan* and the *Irish*, till the Articles of Peace were consented; which the Lord Lieutenant durst in no wise do, without a preceding Vindication of the King's Honour, since this Transaction of my Lord of *Glamorgan*'s was known unto him, and known to be known unto him, by those who wanted neither Art nor Malice to make Use of it. So that the necessary Forbearance to conclude the Treaty, frustrating as much the Relief of *Chester*, as the sudden and vigorous Proceeding against my Lord of *Glamorgan* could do, our Resolutions did in the End determine upon that Course; when at the Instant to remove all Objections, Information was brought us, That the Thing was already publick throughout the Town, and began to Work such dangerous Effects, as in Truth I do not believe that my Lord Lieutenant, or any of the King's faithful Servants could have been many Hours safe in the Delay of this his Majesty's and their Vindication: Which has now been so reasonably applied, as that it hath wrought here not only a general Satisfaction in all moderate Men, but even such a Conversion in many less well inclined, that whereas before a Peace with the *Irish*, even by those unavoidable Conditions upon which my Lord Lieutenant must needs within few Days have concluded, it would hardly have been published in this Place without very much Danger; Mens Minds are so secured and settled by this Proceeding, as that I believe the Peace now would be embraced upon those, and perhaps upon harder Terms, without much Mu-

Ann. 1646. tiny or Repining. This being so, our chief remaining Fear is, lest what hath been done against my Lord of *Glamorgan* should so far Incense the *Irish*, as to drive them to sudden Extreams; Things here on his Majesty's Part being in so ill a Condition to enter again upon a War: Unto this Danger the best Preventives we could think of, are applied; this inclosed Letter written to my Lord of *Muskerry* by my Lord Lieutenant; apt Persons employed to *Kilkenny*, to acquaint them with the Reasons and Necessities of this Proceeding: And lastly, The Articles of Peace sent unto them, with my Lord Lieuenant's Assent, in the very Terms proposed and acquiesced in by themselves in the last Results of this long Treaty: Which in all probability will have one of these two Effects; Either to make them conclude a Peace, notwithstanding this intervening Accident, whereby *Chester* will be speedily relieved, and his Majesty further supplied this Spring: Or make it break so foully on their Side, as to divide from them the most considerable of their Party. Whatever the Event be, my Lord Lieutenant and I shall comfort ourselves with this Satisfaction, That we have done what belonged to Men of Honour, Faithful to their King and to their Religion, and as wisely as ours and our best Friends Understanding could direct us; leaving the rest to God Almighty, whom we beseech to direct his Majesty to that Course herein on his Part, which may be correspondent to our faithful Endeavours; and that he will bless them with as good Effects upon the Minds of all honest Men towards his Majesty's Vindication in that Kingdom, as I make no doubt but what we have done will have in this, when seconded and pursued by those further Directions from his Majesty, which I am sure his own Wisdom and Princely Indignation to find his Honour, Conscience, and Piety, thus infamously traduced, will dictate unto him, without further Advice from

Yours,

Dublin, *Jan.* 1645. George Digby.

I believe you will be as much startled as I was, to find the Signet mentioned in my Lord of *Glamorgan*'s Transactions; but it seems that was mistaken, and that he now pretends to some kind of Authority under the King's Pocket-Seal; which I certainly believe to be as false as I know the other.

The Earl of *Glamorgan's* Treaty with the *Irish* Catholicks, *Aug* 25 1645.

WHereas much Time has been spent in Meetings and Debates betwixt his Excellency *James* Lord Marquess of *Ormond*, Lord Lieutenant and General Governour of his Majesty's Kingdom of *Ireland*, Commissioner to the King's most Excellent Majesty *Charles*, by the Grace of God, King of *Great Britain*, *France*, and *Ireland*, &c. for the Treating and Concluding of a Peace in the said Kingdom with his Majesty's Humble and Loyal Subjects, the Confederate and *Roman*-Catholicks of the said Kingdom of *Ireland*, of the one Part; and the Right Honourable *Donogh* Lord Viscount *Muskerry*, and others, Commissioners deputed and authorized by the said Confederate *Roman*-Catholick Subjects, of the other Part: And thereupon many Difficulties did arise, by occasion whereof sundry Matters of great Weight and Consequence, necessarily requisite to be condescended unto by his Majesty's said Commissioner, for the Safety of the said Confederate *Roman*-Catholicks, were not hitherto agreed upon, which retarded, and doth as yet retard the Conclusion of a firm Peace and Settlement in the said Kingdom: And whereas the Right Honourable *Edward* Earl of *Glamorgan* is entrusted and authorized by his most Excellent Majesty to grant and assure to the said Confederate Catholick Subjects, further Grace and Favours, which the said Lord Lieutenant did not as yet in that Latitude as they expected, grant unto them: And the said Earl having seriously considered of all Matters, and due Circumstances of the great Affairs now in Agitation, which is the Peace and Quiet of the said Kingdom, and the Importance thereof in order to his Majesty's Service, and in relation to a Peace and Settlement in his other Kingdoms; and here, upon the Place, having seen the Ardent Desire of the said Catholicks to assist his Majesty against all that do or shall oppress his Royal Right, or Monarchick Government; and having discerned the Alacrity and Cheerfulness of the said Catholicks to embrace Honourable Conditions of Peace, which may preserve their Religion and other just Interests: In pursuance therefore of his Majesty's Authority, under

under his Highness's Signature Royal and Signet, bearing Date at *Oxon* the 12th Day of *March*, in the Twentieth Year of his Majesty's Reign, granted unto the said Earl of *Glamorgan*; the Tenor whereof is a followeth; *viz.*

Charles R.

Charles, By the Grace of God, of *England, Scotland, France* and *Ireland*, Defender of the Faith, *&c.* To our Trusty and Right Well-beloved Cousin, *Edward* Earl of *Glamorgan*, Greeting. We reposing great and especial Trust and Confidence in your approved Wisdom and Fidelity; do by these (as firmly as under our Great Seal, to all Intents and Purposes) authorize and give you Power to Treat and Conclude with the Confederate *Roman* Catholicks in our Kingdom of *Ireland*, if upon Necessity any be to be condescended unto, wherein our Lieutenant cannot so well be seen in, as not fit for us at the present publickly to own: Therefore we charge you to proceed according to this our Warrant, with all possible Secresy: and for whatsoever you shall engage yourself, upon such valuable Considerations as you in your Judgment shall deem fit, we promise on the Word of a King and a Christian, to ratify and perform the same that shall be granted by you, and under your Hand and Seal; the said Confederate Catholicks having by their Supplies testified their Zeal to our Service. And this shall be in each Particular to you a sufficient Warrant. *Given, at our Court at* Oxford, *under our Signet and Royal Signature, the* 12 *Day of* March, *in the Twentieth Year of our Reign*, 1644.

Touching this Matter see his Majesty's Message of the 29th of *January* 164$\frac{5}{6}$. to the Two Houses, herein before recited.

To our Right Trusty, and Right Well-beloved Cousin, Eward *Earl of* Glamorgan.

It is therefore granted, accorded and agreed, by and between the said Earl of *Glamorgan*, for and on the Behalf of his most Excellent Majesty, his Heirs and Successors, on the one Part; and the Right Honourable *Richard* Lord Viscount *Mountgarret*, Lord President of the Supreme Council of the said Confederate Catholicks, the said *Donnogh* Lord Viscount *Muskerry*, *Alexander Mac Donnel*, and *Nicholas Plunket*, Esq; Sir *Talbot* Baronet, *Dermot O Brian*, *John Dillon*, *Patrick Darcy*, and *Jeffrey Brown*, Esq; Commissioners in that behalf, appointed by the said Confederate *Roman*-Catholicks, Subjects of *Ireland*, for and in the Behalf of the said Confederate *Roman*-Catholick Subjects, of the other Part, in Manner and Form following: (That is to say,)

1. *Imprimis*, It is granted, accorded, and agreed by the said Earl, for and in the Behalf of his most Excellent Majesty, his Heirs and Successors, That all and every the Professors of the *Roman*-Catholick Religion, in the Kingdom of *Ireland*, of whatever Estate, Degree, or Quality soever he or they be or shall be, shall for evermore hereafter have and enjoy within the said Kingdom, the free and publick Use and Exercise of the said *Roman*-Catholick Religion, and of the respective Function therein.

2. *Item*, It is granted, accorded, and agreed by the said Earl, for and on the Behalf of his Majesty, his Heirs and Successors, That the said Professors of the *Roman*-Catholick Religion, shall hold and enjoy all and every the Churches by them enjoyed within this Kingdom, or by them possessed at any time since the 23d of *October*, 1641. and all other Churches in the said Kingdom, other than such as are now actually enjoyed by his Majesty's Protestant Subjects.

3. *Item*, It is granted, accorded, and agreed by the said Earl, for and on Behalf of his most Excellent Majesty, his Heirs and Successors, That all and every the *Roman*-Catholick Subjects of *Ireland*, of what Estate, Condition, Degree or Quality soever, shall be free and exempted from the Jurisdiction of the Protestant Clergy, and every of them; and that the *Roman*-Catholick Clergy of this Kingdom shall not be punished, troubled, or molested, for the Exercise of their Jurisdiction over their respective Catholick Flocks, in Matters Spiritual and Ecclesiastical.

4. *Item*, It is further granted, accorded, and agreed by the said Earl, for and on the Behalf of his most Excellent Majesty, his Heirs and Successors, That an Act shall be passed in the next Parliament to be holden in this Kingdom; the Tenor and Purport thereof shall be as follows: *(viz.)*

An. 1645.

An Act for the Relief of his Majesty's Catholick Subjects of his Highness's Kingdom of Ireland.

'WHereas by an Act made in Parliament held in *Dublin*, the Second Year 'of the Reign of the late Queen *Elizabeth*, entituled, *An Act restoring to the Crown the Ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing all Foreign Power repugnant to the same.* And by one other 'Statute made in the said last mentioned Parliament, entituled, *An Act for the Uniformity of Common-Prayer and Service in the Church, and the Administration of the Sacrament*, sundry Mulcts, Penalties, Restraints, and Incapacities, are 'and have been laid upon the Professors of the *Roman*-Catholick Religion in 'this Kingdom, in, for, and concerning the Use, Profession, and Exercise of 'their Religion, and their Function therein, to the great Prejudice, Trouble, 'and Disquiet of the *Roman*-Catholicks in their Liberties and Estates, and the 'general Disturbance of the whole Kingdom: For Remedy whereof, and for 'the better settling, increase, and continuance of the Peace, Unity, and Tranquillity of this Kingdom of *Ireland*; his Majesty, at the humble Suit and Request of the Lords and Commons in this present Parliament assembled, is 'graciously pleased that it may be enacted, and be it enacted by the King's 'most Excellent Majesty, the Lords Spiritual and Temporal, and Commons in 'this present Parliament assembled, and by Authority of the same, that from 'and after the first Day of this Session of Parliament, it shall and may be 'lawful to and for all the Professors of the *Roman*-Catholick Religion, of 'what Degree, Condition, or Quality, to have, use, and enjoy the free and 'publick Exercise and Profession of the said *Roman*-Catholick Religion, and 'of their several and respective Functions therein, without incurring any 'Mulct or Penalty whatsoever; or being subject to any restraint or Incapacity concerning the same; any Article or Clause, Sentence, or Provision in 'the said last mentioned Acts of Parliament, or in any other Act or Acts of 'Parliament, Ordinances, Law, or Usage to the contrary, or in any wise notwithstanding. And be it also further enacted, That neither the said Statutes, 'or any other Statute, Acts, or Ordinance hereafter made in your Majesty's 'Reign, or in the Reign of any of your Highness's most Noble Progenitors 'or Ancestors, and now of Force in this Kingdom; nor all, nor any Branch, 'Article, Clause and Sentence in them or any of them, contained or specified, 'shall be of Force or Validity in this Realm, to extend, to be construed or 'adjudged to extend in any wise to inquiet, prejudice, vex, or molest the 'Professors of the said *Roman*-Catholick Religion in their Persons, Lands, 'Hereditaments or Goods, for any thing, matter, or cause, whatsoever, touching and concerning the free and publick Use, Exercise, and enjoyings of 'their said Religion, Function, and Profession. And be it also further enacted and declared by the Authority aforesaid, That your Majesty's *Roman*-Catholick Subjects in the said Realm of *Ireland*, from the first Day of this Session of Parliament, shall be, and be taken, deemed, and adjudged capable 'of all Officers of Trust and Advancement, Places, Degrees, and Dignities and 'Preferment whatsoever, within your said Realm of *Ireland*; any Acts, Statutes, Usage, or Law to the contrary notwithstanding. And that other Acts 'shall be passed in the said Parliament, according to the Tenor of such Agreement or Concessions as herein are expressed, and that in the Mean Time the 'said *Roman*-Catholick Subjects and every of them, shall enjoy the full Benefit, Freedom, and Advantage of the said Agreements and Concessions, and 'every of them.

5. *Item*, It is accorded, granted, and agreed by the said Earl, for and in the behalf of his Majesty, his Heirs and Successors, That his Excellency the Lord Marquess of *Ormond*, Lord Lieutenant of *Ireland*, or any other or others, authorized or to be authorized by his Majesty, shall not disturb the Professors of the *Roman*-Catholick Religion in their present Possession, and the Continuance of the Profession of their said Churches Jurisdiction, or any other the Matters aforesaid in these Articles agreed and condescended unto by the said Earl, until his Majesty's pleasure be signified for confirming and publishing the Grants and Agreements hereby Articled for, and Condescended unto by the said Earl

6. *Item*,

6. *Item*, And the said Earl of *Glamorgan* doth hereby engage his Majesty's Royal Word and Publick Faith unto all and singular the Professors of the said *Roman*-Catholick Religion within the said Kingdom of *Ireland*, for the due Observance and Performance of all and every these Articles Grants and Clauses therein contained, and the Concessions herein mentioned to be performed by them.

7. *Item*, It is accorded and agreed, That the said Publick Faith of the Kingdom shall be engaged unto the said Earl by the said Commissioners of the said Confederate Catholicks, for sending ten thousand Men to serve his Majesty by order and Publick Declaration of the General Assembly now sitting. And that the Supreme Council of the said Confederate Catholicks shall engage themselves to bring the said Number of Men armed, the one half with Musquets, and the other half with Pikes, unto any Port within this Realm, at the Election of the said Earl, and at such Time as he shall appoint, to be by him shipped and transported to serve his Majesty in *England*, *Wales*, or *Scotland*, under the Command of the said Earl of *Glamorgan*, as Lord General of the said Army: Which Army is to be kept together in one intire Body; and all other the Officers and Commanders of the said Army, are to be named by the Supreme Council of the said Confederate Catholicks, or by such other as the General Assembly of the said Confederate Catholicks of this Kingdom shall Intrust therewith. *In Witness whereof, the Parties to these Presents have hereunto interchangeably put their Hands and Seals, the* 25th *day of* August, 1645.

Sign'd, Seal'd, and Deliver'd in the Presence of John Somerset, Jeffrey Baron, Robert Barry. *Glamorgan.*

Copia Veras colata fideliter cum Originali, Thomas Cashel, Fra. Patricius Waterford *de* Lismore.

This is a true Copy of the Original Copy found in the Archbishop of Tuam's *Carriage; compared by us*, Arthur Annesley, Robert King.

Articles of Agreement made and concluded upon, by, and between the Right Honourable Edward *Earl of* Glamorgan, *and in pursuance and by Virtue of his Majesty's Authority under his Signet and Royal Signature, bearing date at* Oxford *the* 12th *Day of* March, *in the Twentieth Year of his Reign, for and on the behalf of his most Excellent Majesty of the one Part; and the Right Honourable* Richard *Lord Viscount* Mountgarret, *Lord President of the Supreme Council of the Confederate Catholicks of* Ireland, Donnogh *Lord Viscount* Muskerry, Alex. Mac-Donnel *and* Nicholas Plunket, *Esquires; Sir* Robert Talbot, *Baronet;* Dermot O Brien, John Dillon, Patrick Darcy, *and* Jeffrey Brown, *Esq, for and on the behalf of his Majesty's* Roman-*Catholick Subjects, and the Catholick Clergy of* Ireland, *of the other Part.*

Imprimis, The said Earl doth grant, conclude, and agree, on the behalf of his Majesty, his Heirs and Successors, to and with the said *Richard* Lord Viscount *Mountgarret*, *Donnogh* Lord Viscount *Muskerry*, *Alex. Mac-Donnel*, and *Nicholas Plunket*, Esqs; Sir *Robert Talbot*, Baronet, *Dermot O Brien*, *Patrick Darcy*, and *Jeffrey Brown*, Esqs; That the *Roman*-Catholick Clergy of the said Kingdom, shall and may from henceforth for ever hold and enjoy all and every such Lands, Tenements, Tythes, and Hereditaments whatsoever, by them respectively enjoyed within this Kingdom, or by them possessed at any Time since the 23*d* of *October*, 1641. and all other such Lands, Tenements, Tythes and Hereditaments belonging to the Clergy within this Kingdom, other than such as are actually enjoyed by his Majesty's Protestant Clergy.

Item, It is granted, concluded, and agreed on by the said *Richard* Lord Viscount *Mountgarret*, *Donnogh* Lord Viscount *Muskerry*, *Alex. Mac-Donnel*, and *Nicholas Plunket*, Sir *Robert Talbot*, *Dermot O Brien*, *John Dillon*, *Patrick Darcy*, and *Jeffrey Brown*, on the behalf of the Confederate *Roman*-Catholicks in *Ireland*, That two Parts in three Parts, to be divided, of all the said Lands, Tythes, and Hereditaments whatsoever, mentioned in the precedent Articles, shall for three Years next ensuing the Feast of *Easter*, which shall be in the Year of our Lord God, 1646. be disposed of and converted for and to the Use of his Majesty's Forces employed, or to be employed in his Service, and the other third Part to the Use of the said Clergy respectively: And so the like Dispo-

Ann. 1645. Disposition to be renewed from Three Years to Three Years by the said Clergy during the Wars.

Item, It is accorded and agreed by the said Earl of *Glamorgan*, for and in the Behalf of his Majesty, his Heirs, and Successors, That his Excellency the Lord Marquess of *Ormond*, Lord Lieutenant of *Ireland*, or any other or others, authorized, or to be authorized by his Majesty, shall not disturb the Professors of the *Roman*-Catholick Religion in their present Possession, and continuance of the present Possession of the Churches, Lands, Tenements, Tythes, Hereditaments, Jurisdiction, or any other the Matters aforesaid in these Articles agreed and condescended to by the said Earl, until his Majesty's Pleasure be signified for confirming and publishing the Grants herein articled for, and condescended unto by the said Earl.

Item, It is accorded, granted and agreed by the said Earl, for and in the Behalf of his Majesty, his Heirs and Successors, That an Act shall be passed in the next Parliament to be held in this Kingdom, according to the Tenor of such Agreements or Concessions as herein are expressed; and that in the mean time the said Clergy shall enjoy the full Benefit, Freedom, and Advantage of the said Agreemens and Concessions, and every of them.

And the said Earl of *Glamorgan* doth hereby engage his Majesty's Royal Word, and Publick Faith, unto the said Lord Viscount *Mountgarret*, and the rest of the said Commissioners, for the due Observance and Performance of all and every the Articles, Agreements, and Concessions herein contained and mentioned to be performed to the said *Roman*-Catholick Clergy, and every of them. *In Witness whereof, the Parties to these Presents have hereunto interchangeably put their Hands and Seals, the* 25th *Day of* August, Anno Dom. 1645.

Glamorgan.

Signed, Sealed, and Delivered in the Presence of John Somerset, Jeffrey Barron, Robert Barry.

The Earl of Glamorgan's *Letter to his Lady.*

Earl of *Glamorgan*'s Letter to his Lady, *Jan.* 164 5/6.

My Dearest Heart,

I Hope these will prevent any News shall come unto you of me, since my Commitment to the Castle of *Dublin*; to which I assure thee I went as chearfully and as willingly as they could wish, whosoever they were by whose Means it was procured; and should as unwillingly go forth, were the Gates both of the Castle and Town open unto me, until I were cleared, as they are willing to make me unserviceable to the King, and lay me aside, who have procured for me this Restraint. When I consider thee a Woman, as I think I know you are, I fear lest you should be apprehensive; but when I reflect that you are of the House of *Thomond*, and that you were once pleased to say these Words unto me, That *I should never in Tenderness of you desist from doing what in Honour I was obliged to do*; I grow confident, that in this you will now shew your Magnanimity, and by the greatest Testimony of Affection that you can possibly afford me: And am also confident that you know me so well, that I need not tell you how clear I am, and void of Fear, the only Effect of a good Conscience; and that I am guilty of nothing that may testify one Thought of Disloyalty to his Majesty, or of what may stain the Honour of the Family I come of, or set a Brand upon my future Posterity. Courage, (my Heart;) Were I amongst the King's Enemies you might fear; but being only a Prisoner among his Friends and faithful Subjects, you need doubt nothing, but that this Cloud will be soon dissipated by the Sunshine of the King my Master; and did you but know how well and merry I am, you would be as little troubled as myself, who have nothing that can afflict me; but lest your Apprehension might hurt you, especially since all the while I could get no Opportunity of sending, nor yet by any certain probable Means, but by my Cousin *Brereton*, Mr. *Mannering*'s, our Cousin, Constable of the Castle, and my Lord Lieutenant's Leave: And, I hope, you and I shall live to acknowledge our Obligation to them, there being nothing in this World that I desire more, than you should at least hear from me: And believe it (Sweet Heart) were I before the Parliament in *London*, I could justify both the King and myself in what I have done: And so, I pray, acquaint my Father, who I know is so cautious, that he would hardly accept a Letter from me; but yet I presume

Presume most humbly to ask his Blessing, and as heartily as I send mine to Pretty *Mall*: And I hope this Day or to Morrow will set a Period to my Business, to the shame of those who have been Occasioners of it. But I must needs say, from my Lord Lieutenant and the Privy Council here, I have received as much Justice, Nobleness and Favour, as I could possibly expect. The Circumstances of these Proceedings are too long to write unto you; but I am confident all will prove to my greater Honour; and my Right Honourable Accuser, my Lord *Digby* will be at last rectified and confirmed in the good Opinion which he is pleased to say he ever had of me hitherto; as the greatest Affliction that he ever had, did do what his Conscience enforced him to; and indeed did wrap up the bitter Pill of the Impeachment of Suspicion of High Treason in so good Words, as that I swallowed it with the greatest Ease in the World; and it hath hitherto had no other *Operation*, than that it hath purged Melancholy: For as I was not at the present any way dismay'd, so have I not since been any way at all disheartned: So I pray let not any of my Friends that's there, believe any thing, until ye have the perfect Relation of it from myself And this Request I chiefly make unto you, to whom I remain a most Faithful and most passionately Devoted Husband and Servant,

Glamorgan.

Remember my Service to my Brother, my Cousin *Brown*, and the rest of my good Friends.

About the time of the said Battel at *Sligo*, *Viz.* on the 22*d* of *October*, 1645. arrived in the River of *Kilmare* the Pope's Nuncio *John Baptist Rinuccini*, Archbishop of *Fermo*, in a Frigat of 21 Guns, and 26 *Italians* of his Retinue, besides divers Regular and Secular Priests, and bringing with him (as was reported) besides Apostolical Benedictions, some Arms, Ammunition, and *Spanish* Gold. And in Acknowledgment of the Favour of his being sent to them, the Supreme Council of the Confederate Catholicks in *Ireland* did in *January* following make the following Addresss to the Pope.

The Pope's *Nuncio* comes into *Ireland*, 22. *Octob.* 1645.

Ad Beatum Patrem nostrum Innocentium ✝ Papam.

Beatissime Pater,

Quod in ipso limine sui Pontificatus rebus nostris consulere voluerit, S.V. & Illustrissimum Virum Archiepiscopum Fermanum Prælatum Vestræ Sanctitatis Domesticum, & assistentem Sedis Apostolicæ Extraordinarium Nuncium ad Nos miserit, Gratias quas possumus humilimè reddimus, Illum si non quâ decuit Magni Scientiâ, certè, insuperablili amorè, & gaudio recipimus, Illum etiam de Vestræ Sanctitatis in nos nostramque Casam animi affectu & Solicitudine discurrentem avidè audivimus speramúsque nos Apostolicâ Benedictione quam nobis Vestræ Sanctitatis nomine impertivit suffultos, & Subsidiis ulterioribus, quæ tanto Bello necessaria duxerit Paterna Sanctitatis Cura; tanti etiam & tam prudentis Viri Adhortationibus & Consiliis, eo Res nostros promovere posse, ut de Stabilitâ in Hiberniam Catholica Religione triumphare posset Innocentius Christissimus; quam & Vestræ Sanctitati & Nobes Victoriam à Deo Exerci-

To our Blessed Father, Innocent ✝ *the Pope.*

Most Blessed Father,

THAT your Holiness at the very Entrance on the Popedom has vouchsafed to consult our Affairs, and to send to us that most Illustrious Person the Archbishop of *Fermo*, a Prelate Domestick to your Holiness, and Extraordinary Nuncio of the Apostolick See, we most humbly render all the Thanks that we can possible. We receive him, if at least not with that Knowledge as becomes us of so Great a Man, yet certainly with a Love and Joy that cannot be exceeded: As also we have with the highest Pleasure and Satisfaction heard him discoursing of the Affection and Solicitude of your Holiness's Mind towards us and our Cause: And we hope, That being supported with the Apostolick Benediction which in your Holiness's Name he bestowed upon us, and those further Assistances which the Fatherly Care of your Sanctity,

The Rebels Supreme Council's Addresss to the Pope, congratulating the *Nuncio*'s Arrival, 7 *Jan.* 164$\frac{5}{6}$.

tuum

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tuum humili & confidenti Corde implorant demisse Benedictionem obsecrantes,

Vestræ Sanctitatis ad Pedum Oscula,

Per Supremum Consilium Confederaterum Catholicorum in Regno Hiberniæ, Kilkenniæ, 7. Jan. 164⅚.

will judge necessary for so great a War, as also by the Exhortations and Counsels of so Great and Prudent a Person, we may be able so far to promote our Affairs, that *Innocent* the most Christian * may triumph for the Establishment of rhe Catholick Religion over *Ireland:* Which Victory both to your Holiness and ourselves, they with an humble and assured Heart implore from the God of Armies; who submissively begging your Blessing, cast themselves,

* *This I modestly conjecture may be their Meaning; tho' the word* Christissimus, *which they use, sounds horrible Blasphemy.*

To Kiss the Feet of your Holiness,

The Supreme Council of the Confederate Catholicks in the Kingdom of Ireland, *at* Kilkenny, 7, Jan. 164⅚.

The Government of *Ireland* to be in a Single Person of Honour.

January 5. The House of Commons of *England* fell into a Debate touching the Government of *Ireland;* and the Question being put, Whether the Government of that Kingdom should be by Commissioners, or by a Single Person of Honour, Voted, That it should be governed not by Commissioners, but by a Person of Honour, and every Year a New Governor to be chosen.

Treaties with the *Irish.*

It was also Voted, That all Treaties with the Rebels in *Ireland,* without the Consent of both Houses of Parliament, should be annull'd: And that the Prosecution of the War against the said Rebels, shall be managed by the two Houses of Parliament; and that no Governor shall be placed there, but by the Consent of both Houses of Parliament.

Jan. 21. Lord *Lisle* to be Governor of *Ireland.* *March* 6. 164⅚.

The Commons Vote, That the Lord *Lisle*, a Member of that House, shall be Chief Governor of *Ireland.*

The Commons Vote, That the said Lord *Lisle* shall have Power to Nominate and give Commissions to Officers for the Commanding of Two Regiments of Foot, and one Regiment of Horse, for the Service of *Ireland:* Also, That the Ordinance for raising a Weekly Assessment for the Maintenance of the Forces of *Ireland*, should be continued for Six Months longer: And a Letter being read from the Commissioners of Parliament in *Ireland*, informing, That five Troops of Horse were raised by some *Scots* Officers in *Ulster*, without any Command from the Parliament of *England*, and what the Consequences thereof might be, was left to Consideration: The House thereupon ordered, That no Forces of Horse or Foot shall be raised in the Province of *Ulster*, or brought in thither, without the Warrant of the Parliament of *England*; nor any be permitted to levy either Forces or Moneys in that Province, without Warrant as aforesaid.

No Levies of Money or Forces to be raised by the *Scots* in *Ireland* without Warrant of the Parliament of *England. March.* 16.

The Commons Vote, That the Stile of the Lord *Lisle* in his Commission, shall be Lord-Lieutenant-General of *Ireland*; and that he shall have Power to Command all the Forces raised and to be raised, in and for the Reducing of that Kingdom to its Obedience.

22 Caroli.

For his Sacred Majesty.

May it please your Majesty,

The Earl of *Glamorgan's* Letter to his Majesty, *Feb.* 23. 164 5/6.

I Am now at *Waterford*, providing Shipping immediately to Transport 6000 Foot; and 4000 more are by *May* to follow them: I hope these will yet come opportunely to the Relief of *Chester*. What hath been the Occasion of so long Delays, and yet suffers not your Majesty's Service herein to proceed with that Advantage it might do, I conceive not so fit to commit to Paper; but I shortly send my Brother, who shall fully inform your Majesty with all Particulars, and thereby rectify your Opinion, and give you true Knowledge who are your faithful Servants. I hope long e're this, Captain *Bacon* hath arrived with you since my Enlargement; and therefore I need only tell your Majesty, That my further Services intended for you, will, I hope, without further Crosses, be suffered to go on: Though strange is the Industry used by many seeming Friends to hinder me therein; but I am confidennt it shall not lye in their Power, your Majesty remaining still constant, as I doubt not but you will, to your favourable Opinion, and right Interpretation of my poor Endeavours, which if they might take place, will procure you to be a glorious and happy Prince; I having no other Ends, but to approve my self,

SIR,

Waterford, Feb. 23. 164 5/6.

Your Sacred Majesty's most Dutiful Obedient Subject, and Passionately-Devoted Servant,

Glamorgan.

CHAP. VIII.

Containing all Transactions Military and Civil, from the beginning of the Year 1646. *till the King's coming to the* Scotch *Army,* May 5. *And some Passages depending thereupon.*

THE most eminent Transactions of this Year may conveniently be divided into those that happened before his Majesty's going to the *Scots* Army; and such as occurred afterwards upon that sudden and unexpected Turn of Affairs: And accordingly we shall deliver them.

The Reader from the foregoing Collections, will remember, That at the beginning of this Year his Majesty's Affairs were reduced to a very low Ebb; the Enemy every where Masters of the Field, and no visible Force left able to oppose them; the Royal Garrisons yet remaining in the *West*, in no possibility of holding out long against *Fairfax*; and after taking them in, *Oxford* (where his Majesty at present made his Residence) could not but expect to be next beleaguer'd, as *Newark* was already actually besieged by the *Scots*, and Major-General *Poyntz*, and other *English* Forces.

This Exigency of Affairs, together with his Majesty's many pressing Messages to come to a free Personal Treaty with the Two Houses, occasioned Rumours to be spread, as if his Majesty intended to come privately to *London*; whereupon the Two Houses on the 31st of *March* passed several Votes to this Effect.

Votes pass'd *March* 31. 1646. on a Rumour of his Majesty's intending to come privately to *London*.

1. THAT in case the King shall, contrary to the Advice of both Houses of Parliament already given to him, come or attempt to come within the Lines of Communication, That then the Committee of the Militia of *London* shall have Power, and are hereby enjoined, upon Advice had with the Committee of Lords and Commons for the Army, to raise such Forces as they shall think necessary to prevent any Tumult that may arise by his Majesty's coming, and to suppress any that shall happen.

2. That in case the King shall come to any of the Guards about the City, the Officer that commands that Guard, with such Assistance as may be pro-

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cured, shall conduct his Majesty unto St. *Jame's* House, with a Guard to secure his Person from Danger, and to prevent Resort unto him.

3. That in such case, the Committee for the Militia are forthwith to send such other Officers as shall be sufficient there to secure his Person from Danger, and prevent Resort unto him, until the Houses shall be acquainted therewith. and take further Order. And until those other Forces shall come to St. *James's*, the first Guard is to tarry there.

4. That for such Persons as shall come with the King, the Officer that commands the Guard (with such Assistance as may be procured) shall apprehend and secure them in such Prisons and other Places as the Committee of the Militia shall think fitting, until the Houses shall take further Order.

5. That the Officer that commands the Guards shall prevent the Resort of any Person unto the King; and in case any shall endeavour in a forcible manner to have Access unto him, That the Officers shall apprehend and secure them until further Order from the House.

6. That if there be any Resistance in any the Cases aforesaid, the Officer and Soldiers shall by Force of Arms, according to the course of War, observe these Directions in pursuance of the Ordinance of Parliament.

7. That, upon this Occasion, the Committee of the Militia shall strengthen their Guards both within and without the City, and employ such Men as for their Fidelity and Ability they can confide in.

The same Day they also pass'd the following Order:

An Order for all that have born Arms against the Parliament to depart from *London, &c.* *March.* 31.

THE Lords and Commons in Parliament assembled, taking notice of the great Confluence and Resort of Papists Officers, and Soldiers of Fortune, and such as have born Arms against the Parliament of *England*, from the Enemies Garrisons and Quarters, unto the Cities of *London* and *Westminster*, and other Parts within the Lines of Communication, Do, for the prevention of such Inconveniencies as may thereby arise, think fit to order, and it is hereby ordered by the said Lords and Commons. That all Papists whatsoever, and all Officers and Soldiers of Fortune and other Persons that have born Arms against the Parliament of *England*, not being under Restraint, do before the End of the *6th* day of *April*, 1646. depart out of the said Cities of *London* and *Westminster*, and Lines of Communication. And if any such Person shall continue within the said Lines after that time, such Person is hereby declared a *Spy*, and shall be apprehended, imprisoned, and proceeded against as a *Spy*, according to the Rules of War. And the said Lords and Commons do further order, That all such Persons do forbear, upon the Penalty aforesaid, to return or come within the said Lines, without License under the Hands of the Committee appointed for Compositions at *Goldsmiths-Hall*, And the Committee of the Militia of *London*, and their Sub-Committees in their several Limits respectively, are hereby required to keep strict Guards and Watches, and cause frequent Searches to be made, and to take care for the due Execution of this Order. Provided, That this Order, nor any thing therein contained, shall extend to any person or persons who shall obtain License under the Hands of the Committee of *Goldsmiths-Hall*, to continue within the Limits aforesaid. Provided, That this Order, or any thing herein contained, shall not extend to any person or Persons who came in to the Parliament before the first of *June* last, and are cleared by both Houses of Parliament from their Delinquency. Provided also, That no Peer of this Realm shall resort unto the Committee of *Goldsmiths-Hall* for License to continue within the Limits aforesaid; but shall repair only to the House of Peers for their said License. This Order to continue for the space of One Month after the said *6th* of *April*, and no longer.

The *Scots* Army being set down before one side of *Newark*, and Col. *Poyntz* with considerable *English* Forces on the other; the Committee of both Kingdoms residing there with the Armies, sent in the following Summons:

Summons to the Garrison at *Newark*, *March* 28.

WE the Committee of both Kingdoms, being sent and authorized to use our best Endeavours for the reducing of the Town and Garrison of *Newark*, do hereby (in the Name of both Houses of the Parliament of *England*,

land, and for the Use of the King and Parliament) demand of you, That you forthwith Surrender the same into their Hands. It is the Pious Care of the Parliament to prevent the Effusion of Christian Blood, the wasting of the Country, and the Destruction of Towns. We shall esteem ourselves happy in being Instruments to avert those Meseries, and shall therefore grant to you, the Gentlemen with you, and the Town, Honourable Conditions; which if you shall now neglect, and will let nothing but experimental Sufferings declare unto you your unavoidable Ruin, you are to give an Account to God, to this present Age, and to Posterity, for all the Blood that shall from henceforth be shed, for the wasting of your Native and Neighbouring Country, and destruction of so considerable a Place. You may not, nor can in any Reason expect (and most assuredly on the Faith of honest Men you shall not hereafter obtain from us) such Terms as we are now willing to afford you. We sent no Summons, until you and all with you might see we were able by Force to attain what we much rather desire by Treaty. The Parliament have 16000 Horse and Foot at present before your Town, Soldiers of Experience, united, and in Health and Courage. This is no way mentioned, as if we trusted in the Arm of Flesh (God the Lord of Hosts hath manifested that we fight his Battels); but to shew you the vast Expences which will be Occasioned by the Continuance of this Siege (for which your Estates must answer); and that your holding out may not further tempt the Almighty. And though you should not regard your own Ruin, and though some others should be of that your Opinion, Shall yet that wealthy Town be sack'd, and others Perish with you that see their own Misery, and would avoid it? A prudent man, a Soldier, cannot live or dye in Reputation or Peace of Spirit, to maintain a Place not so long tenable as till it can be relieved; of which you cannot have the least Hope: Flatter not yourselves; Relief is not to be had: *Chester* was nearer Succours, and considerable Armies for them in the *West* and in *Wales*; now scarce seen what remains of either. Was not that strong City of great Importance? Were they not very often promised? Did not all Assurances to be relieved come to them? they had none; that Place is surrendred. Your Wealth (if you rightly Consider in what State you are) proves your sudden and certain Destruction. You are prepar'd in some Things for Defence; you know (and we know) you are not for some other. Consider these Things seriously, and you cannot but through them see your Ruin to be inevitable, if you do not avoid it by accepting what is now offer'd. We shall expect your Answer on *Monday* next by Eleven of the Clock in the Forenoon at *Balderton*.

Balderton, March 28. 1646.

For the Governour of the Town and Garrison of Newark, *the Gentlemen there; and the Mayor, Aldermen, and Burgesses of that Town.*

Sign'd in the Name, and by the Warrant of the Committee of both Kingdoms, by
Rutland. Lothian.

The Governor's Answer.

HAving received a Paper subscribed by the Committee of both Kingdoms, directed as to a Committee-Governour, by putting the Gentlemen and Corporation in equal Commission with me (though the joining us together was with the Intention to divide us) I shall in Answer thereof desire you to reflect upon the King's Letter of the 23*d* of *March*, sent to the two Houses of Parliament (which I received from your own Quarters) where in a full Compliance with all their Desires, upon the most gracious Conditions that ever Prince propounded, he offers to disband his Forces and dismantle his Garrisons: To what End then do you demand that of the Steward, whereof the Lord and Master makes a Voluntary Tender? I conceive it my Duty to trace his Commands, not to outstrip them: So that though Honour and Conscience would permit the Delivery, yet Civility would retard it, lest his Majesty's Act of Grace should be frustrated by my over-hasty speed. I shall wave the Arguments wherewith you Endeavour to evince my Consent: I am neither to be struck into Apostacy by the mention of fair Conditions in a misty Notion; nor to be frighted into Dishonour by your running Division upon the Fate of *Chester*. For as I do not Measure my Allegiance by my Interest to the former, so I do disdain that Poverty of Spirit, as by resemblance of *Chester*, to suffer

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by Example: I can be Loyal without that Copy, and I hope this Garrison ſhall never be the Tranſcript of their Calamity. You may do well to uſe your Fortune modeſtly; and think not that God Almighty doth applaud your Cauſe by reaſon of your Victories, or that he hath not a Bleſſing in ſtore for ours. Whereas you urge the Expence of the Siege, and the Preſſures of the Country in ſupporting your Charge there (ſince occaſion'd by yourſelves) I am not concern'd: Yet in order to their Eaſe, if you will grant a Paſs to ſome Gentlemen to go to the King, and return, I may then know his Majeſty's Pleaſure, Whether according to his Letter he will wind up the Buſineſs in general, or leave me to ſteer my own Courſe; then I ſhall know what to determine. Otherwiſe I deſire you to take Notice, That when I received my Commiſſion for the Government of this Place, I annexed my Life as a Label to my Truſt.

Newark, March 13. *J. Bellaſyſe.*

To the Committee of both Kingdoms.

Dennington Caſtle ſurrendred to the Parliament, *April* 1.

The ſtrong Caſtle of *Dennington* near *Newbury* having for ſome time been beſieged, was on the firſt of *April* ſurrendred, upon Articles, That Sir *John Boyce*, the Governor, with all his Officers, Gentlemen, and Soldiers, ſhould march out with Colours flying, and Drums beating, the Governor with Four Horſes and Arms, and every Field-Officer with Two, and every Captain One: The Lieutenant-Colonel of Horſe with Two Horſes and Arms, and the other Officers and Reformado-Officers of Horſe, with One Horſe and Arms apiece; a Hundred of the Foot-Soldiers to march with Arms Two Miles, and then Fifty of them to lay down their Arms; the other Fifty to continue their Arms, and march with Colours flying, Drums beating, light Matches, Bullets in Mouth, and Bandaliers filled with Powder; and all to have a Convoy to *Wallingford* Caſtle; but ſuch of the Officers as deſire it, to have Paſſes to go beyond Sea, and thoſe that pleaſe to their own Homes. There were taken in this Caſtle Six Pieces of Ordnance, about Twenty Barrels of Powder, with Match and other Ammunition proportionable.

An Ordinance for eſtabliſhing a Court-Martial, *April* 3. 1646.

IT is ordained, and be it ordained by the Lords and Commons in this preſent Parliament aſſembled, That Sir *Tho. Fairfax*, Kt. General of the Forces raiſed by the Houſes of Parliament, Serjeant-Major-General *Skippon*, Col. *Rowland Wilſon*, [*and between Thirty and Forty others, therein particularly named, conſiſting for the moſt part of Officers, ſome Civilians, and Two or Three Common Lawyers,*] or any Twelve or more of them, ſhall be Commiſſioners, and are hereby authorized according to the Courſe of War, to execute Martial Law within the Cities of *London* and *Weſtminſter*, and Lines of Communication, upon all Gunners, Matroſſes and Soldiers there in pay; and alſo upon all ſuch Perſons as ſhall offend againſt the Articles following, or any of them.

1. That none ſhall voluntarily go from *London* or *Weſtminſter*, or any of the Parliament's Quarters, to the King, Queen, and Lords of the Council, or any Commander or Officer of the King's Army, or hold any Intelligence with any in Arms againſt the Parliament, without Conſent of both Houſes, or the Committee of both Kingdoms, or the General or Commander in chief of the ſaid Forces, upon pain of Death, or other corporal Puniſhment at diſcretion.

2. Whoever ſhall plot, contrive, or endeavour the betraying, ſurrendring, or yielding, or ſhall contrary to the Rules of War ſurrender any City, Town, Magazine, Fort, Garriſon, or Forces, which now are, or hereafter ſhall be under the Power of the Parliament, ſhall be puniſhed with Death.

3. No Perſon ſhall voluntarily relieve any in Arms againſt the Parliament, or harbour or receive them, knowing them to have been ſo in Arms, upon pain of Death, or other corporal Puniſhment at diſcretion.

4. No Officer or Soldier ſhall make any mutinous Aſſemblies, or be aſſiſting thereunto, upon pain of Death.

5. No Guardian or Officer of any Priſon ſhall wilfully ſuffer any Priſoner of War to eſcape, under pain of Death; or negligently, under pain of other Puniſhment at diſcretion.

6. Who-

6. Whoever shall voluntarily take Arms against the Parliament, having taken the National Covenant, shall dye without Mercy; so likewise shall all Deserters. *22 Caroli.*

7. Whoever shall come out of the King's Quarters, or hath been there in a Month past, or born Arms against the Parliament, and shall come into *London*, *Westminster*, or the Lines of Communication, or any other of the Parliament's Garrisons, without a Pass from both Houses, or Sir *Tho. Fairfax*, or without Drum or Trumpet, and not within 48 Hours render himself to the Speakers, or the Committee of both Kingdoms, or the Committee at *Goldsmiths-Hall*, or Committee of Examinations, or Commander in Chief of such Garrison, shall be proceeded against as a Spy, and dye without Mercy. And whoever shall come as a Spy, and by Virtue of any former Ordinance or Declaration shall be found to be a Spy, shall be liable to such Punishment as by the Course of War is usual.

And the said Commissioners are enabled to send out their Warrants for Delinquents and Witnesses, and to commit such as be refractory; and to sit as often as they shall think fit, and appoint a Judge-Advocate and a Provost-Marshal; which Judge-Advocate is hereby authorized to receive all Accusations, Articles, Complaints and Charges against any such Offenders; to examine them, administer Oaths to Witnesses, *&c.* And all Mayors, Sheriffs, *&c.* to be aiding and assisting.

Provided, This Ordinance not to extend to Peers, or Members of the House of Commons, but they to be left to the Judgment of both Houses Provided also, That no Sentence shall pass, but upon the Testimony of Two credible Witnesses, or the Party's own Confession. And no Execution as to Death shall be, until Six Days after Notice given of the said Sentence unto both Houses. All the Commissioners to take the Covenant: And this Ordinance to continue Three Months, and no longer.

The *Scots* scruple in the Propositions to be sent to the King.

The Two Houses having for several Months been busy in framing Propositions to be sent to his Majesty touching Peace, and having now passed the same; and they being about this Time communicated to the Commissioners of the Kingdom of *Scotland*, residing at *London*, for their Concurrence; the said Commissioners unsatisfied with some Articles therein, delivered in several Papers, specifying their Reasons of Dissent. Which Papers are too tedious to be here recited at large; being in all Four in Number, under these Titles:

The Substance of the *Scots* Papers delivered in to the Two Houses, touching the Propositions, *April*, 1646.

1. The First Paper delivered in to the Houses of Parliament by the Commissioners of *Scotland*; containing their Answer to the whole Propositions of Peace.

2. Their Second Paper; containg Reasons touching the Militia.

3. Their Third Paper; containing the Citations of several Passages out of the several Declarations of the Houses concerning the Militia, and Uniformity in Religion.

4. Their Fourth Paper; containing their Reasons why the Result of the Committee of both Kingdoms at *Edinburgh*, 28. *Nov*. 1643. is a Treaty.

The main Exceptions they took, were to the Propositions touching *Religion*, and concerning the Settling the *Militia*, and touching the future Conduct and Ordering of the *Scots Forces* in *Ireland*.

The *Scots* First Paper.

As to the first, they Remonstrate, That as the Matter of Religion, by reason of the Necessity and Incomparable Excellency thereof, deserveth the first Place, and before all other Matters to be consider'd; so it hath been always in all our Undertakings, the prime and chiefest of our Intentions and Desires, and in all our Actions and Sufferings our greatest Comfort and Encouragement; and which being established according to the Covenant, we are very confident to give and receive Satisfaction in all other Matters; and without which, the Church and Kingdom of *Scotland* having been from the Corruption of this Fountain overwhelm'd with a Deluge of Miseries, tho' they had

Ann. 1646. had all Things beside, cannot be satisfied, nor think themselves secured. And we confess, that it is to us, and to that Church and Kingdom, no small Matter of Sorrow, that after so solemn a Covenant, and so many Protestations and Declarations, the Reformation of Religion should so long stick, and be so much obstructed in this Kingdom; which we hoped in the beginning when both Kingdoms entred in Covenant, should long before this Time not only been Established here, but Propagated also to other Nations, groaning under, or in danger of the Yoke of Antichristian Tyranny; and which upon the appearing of the Light, and the new dawnings of the Day in this Island, were beginning to lift up their Heads in expectation of their Deliverance and Comforts. We do therefore Desire particularly and explecitly to know the Articles of Reformation, and Uniformity of Church-Government, contained under the general Propositions; all of them, after much Debate, being long since offered by the Assembly of Divines unto, and great Part of them resolved upon by both Houses; which may also in a short Time resolve upon the remnant. By this Means we shall proceed the more distinctly and assuredly; and these Articles formed up in a Model, may be considered and granted by the *King* with the clearer Knowledge; which is very Necessary, not only in other Propositions, which are framed as particularly as may be; but also and especially in the Matter of Religion.

This was the Course approved and observed at the Treaty of *Uxbridge*; where so much as was at that Time prepar'd for settling Religion, was presented. If we should without the Knowledge of particulars rest upon the general Proposition, Peace might be settled without the settling of Religion, except in so far as by the King's Consent the Power of Reformation is to be in the Houses, and Uniformity of Religion is placed in the Parliaments of both Kingdoms; which doth not Answer our Covenant, binding both Kingdoms to the Exercise of their Power, by their Endeavours in the Particulars therein specified. Nor will this General give Satisfaction to any of the Reformed Churches, especially to the Church of *Scotland*; nor will it be able to Cure the present Distempers of Religion in the Church of *England*, which call for a present Reformation; nor secure them or us from altering of that which is already ordained; nor be any Recompence of the many Labours and Sufferings, and the much Expence of Treasure and Blood in this Cause.

Having perused the several Ordinances, Directions, and Votes of the Honourable Houses concerning Church-Government delivered unto us, which we conceive will be the Matter of the Propositions of Religion, and in this Sense only we speak to them, we do agree to the Direction for the present Election of Elders, to the Subordination of Congregational, Classical, Provincial, and National Assemblies, and to the Direction concerning the Members of which they are constitute, and the Times of their Meeting: Only we Desire, That no Godly Minister be excluded from being a Member of the Classical Presbytery; nor any Godly Minister, having lawful Commission, from being a Member of the Provincial and National Assemblies, there being the greater need of their Presence and Assistance in such Assemblies, that there are no Ruling Elders to join with and assist them. And we desire that a fixed Time be appointed for the Ordinary Meeting of the National Assembly, with Power to the Parliament to summon them when they please; and with Liberty to the Church to meet oftner, if there shall be necessary Cause; the Ordinary Meeting thereof being most Necessary for preserving Truth and Unity in the whole Church, against the Errors that may arise and multiply in the Church, and against the Divisions and Differences that may Distract the Inferior Assemblies of the Church, and for receiving and determining Appeals from Provincial Assemblies, which otherwise will be Infinite, and lye over long without Determination, and the Exigence of Religion sometimes being such, that it will require an extraordinary Meeting.

We agree to the Rules and Direction concerning Suspension from the Sacrament of the Lord's Supper, in cases of Ignorance and Scandal: Only we desire that the Congregational Elderships may have Power to judge in cases of Scandal not enumerated, with Liberty to the Person grieved to Appeal, as in other Reformed Churches. This we conceive to be a Power no more Arbitrary in this Church, than in them who are limited by the Rules expressed in

in Scripture, and do exercise this their Power with such Moderation, as is a comfort, help, and strengthning of Civil Authority. The appointing of Provincial Commissioners, such as are appointed in the Ordinance, will minister Occasion to such Debates and Disputes in this and other Churches, as will be very unpleasant to Parliaments and Civil Powers, will make a great Disconformity betwixt this and other Churches, and a present Rent and Division in this Church; is such a Mixture in Church-Government as hath not been heard of in any Church before this time; may prove a Foundation of a new Episcopacy, or of a High Commission: And the Work may be better done by the Assemblies of Ministers and Ruling Elders, who have this in their Ecclesiastical Charge, and will be no less tender of the Honour of Parliament, by whose Laws they live and are protected, and as able and willing to give just Satisfaction to the People, whose Consciences and Conversation are best known unto them, as any other Persons whatsoever. Concerning the Suspension of the Ministers themselves, altho' Scandal in them deserveth double Censure, yet we conceive it to be most agreeable, that they have their Censure from the Classical, or other Superior Assemblies of the Church, where there be Ministers to judge them. We do also agree to the Ordinance of Ordination of Ministers; only we desire it may be provided, That it stand in force for all time to come.

There be other Matters contained in the Ordinances; as, The manner of Subordination of the Assemblies of the Church to the Parliament, so much subject to mistake: The seeming Exemption of some sorts of Persons from the just Censures of the Church: The ministring the Sacrament to some Persons against the Conscience of the Ministry and Eldership: Concerning publick Repentance to be only before the Elderships, and such like; which may be taken into Consideration, and with small Labour and Alteration be determined to the great Satisfaction of many. As for the Remnant, concerning the perpetual Officers of the Church, and their Offices; the Order and Power of Church Assemblies; the Order of publick Repentance, and of proceeding to Excommunication and Absolution; we desire they may be agreed upon according to the Covenant, and the Advice of the Divines of both Kingdoms, long since offered to both Houses; which being done, they may be presently drawn in a Method, and formed up in a Model of Church-Government in three Days, to the quieting the Minds of all the Godly, concerning the particular Meaning of both Kingdoms in the Matter of Religion, to the great Content of the Reformed Churches, and which will both make us distinctly to know what we demand, and the King what he doth grant.

As to the 18th *Proposition touching the Militia, they say*, We desire that the Militia may be so firmly setled, as neither the King nor any other be able to disturb or infringe the Peace now to be agreed upon; and altho' it be our Judgment, That the former Propositions (*viz.* those of *Uxbridge*) are a more firm Security for conserving the Peace, and a stronger Bond of Unity betwixt the Kingdoms than the *New*, and are therefore desirous the Houses would be pleased to send the former; which being granted by his Majesty, we think the Militia perfectly secured, and that the War should not be continued by insisting upon the New Propositions; yet lest our Disagreement herein with the Houses, should be a hindrance to the sending of Propositions, that we may testify how desirous we are, so far as in us lies, to give the Houses Satisfaction, and how much we value the speedy setling of the Peace of these Kingdoms above our own Interest, provided that it be understood to be without prejudice to the Right and Interest of the Crown, which we understand to be conjoined with the respective Parliaments in the Militia of both Kingdoms, and not to be absolutely in the King himself; and that the King and his Posterity be not totally excluded, and rendered incapable to concur with their Parliaments for protecting of their Subjects, and opposing the Enemies of the Kingdoms: And provided that it be without Pejudice to the several Treaties between the Kingdoms, we do consent that the Power, Exercise, and managing of the Militia in each Kingdom, be setled in the Parliaments of either Kingdom respectively, for such a Time as shall be mutually agreed upon: And after the Expiration of that Term, That the Militia be setled and exercised in such manner, and by such Ways and Means as shall be agreed upon by his Majesty

and

Ann. 1646. and the Parliaments of either Kingdom respectively; whereby the Power of the Militia of *England* and *Ireland*, which by the former Propositions was in Commissioners of both Kingdoms, will be in the Houses of Parliament; the People will be secured from all Apprehensions of Dangers by reason of the late Troubles; and the King, who is one of the Three Estates of the Kingdom, will not be for ever excluded from that just Power and Interest in the Militia, by which he may concur with the Parliament in Defence of the Kingdom.

The Second Paper.

And for this in their Second Paper they assign particular Reasons: *As* 1. That by the Fundamental Laws and constant Practice of the most Legal and best-regulated Kingdoms, and by the Laws and Practice of these Kingdoms, declared to the World by the Honourable House, the Power of War and the Militia is placed in the King and Parliament; and so acknowledged by all that write upon this Subject for Parliaments: Which is directed contrary to this New Proposition, by which the whole Power of the Militia is solely placed in the Houses of Parliament, and the Crown excluded for ever. 2*dly*, Because in the Petitions, Messages, and Declarations sent to the King, emitted to the Kingdom and to all the World, we have professed, That no more was sought concerning the Militia, but that it might be intrusted to such Persons as the Parliament should nominate or approve, and might confide in, without diminution of the King's Authority or just Power; and Professions to preserve and defend the King's Person and Authority; that the World may bear Witness with our Consciences of our Loyalty, and that we have no Thoughts or Intentions to diminish his Majesty's just Power and Greatness, was used as a special Argument to persuade *Scotland* to join with *England* in this War; and the same is a Part of the Third Article of our Covenant: And now to exclude the King and his Posterity for ever from the Militia, will be understood to be an Alteration of the Fundamental Government, contrary to the former Resolutions and Declarations of both Kingdoms, and not agreeable to our Covenant. 3*dly*, Because the setling of the Militia according to the New Proposition, may disable the Crown for ever performing that Duty which all Kings by their Royal Office and Oath of Coronation are bound to perform, and their Subjects by their Oath of Allegiance bound to assist, for the Protection of their Subjects and the Laws, and opposing their Enemies, and keeping Friendship and Correspondence with their Allies. 4*thly*, Because hereby in one Age or another Differences may hence arise between the Kingdoms, being separated in their Militia; yea, in any one of the Kingdoms, the King's Posterity reflecting on the Power of their Predecessors, may be soon incited to endeavour by new Stirs to regain it: Whereas the Power remaining in them, with the Advice of their Parliaments, may preserve the Kingdoms in Peace, *Quo æquiorem eo firmiorem pacem.* Lastly, The sending this Proposition is like to cut off all hopes of Peace; since his Majesty in several Declarations hath avowed, That albeit he were vanquish'd and made Prisoner, he would quit both his Estate and Life, before he would thus uncrown the Crown, and depose his Posterity: And then let any judge if this be the fittest way for a speedy and durable Peace: Which with Truth is the Sum of all our Desires.

The *Scots* Third Paper.

Their Third Paper was only a Collection out of several Declarations of the Two Houses, of Professions of their Resolutions for Uniformity of Religion, and stating the Militia to be in the King and Parliament conjunctly, &c.

The *Scots* Fourth Paper

Their Fourth Paper was to prove, That the Result of the Committee of both Kingdoms at *Edinburgh*, *Nov.* 28. 1643. was a Treaty: And the ground of controverting thereof was, because in the 13*th* Proposition now offered to them, it is proposed, That the Two Houses at *Westminster* shall have the Command of all the Forces in *England* and *Ireland*: Whereas by the Result aforesaid, the *Scots* Army in *Ireland* was to be commanded by the Parliament of *Scotland*, and such as they should appoint. To avoid which, the Parliament of *England* now disown'd That to be a Formal Treaty between the Two Kingdoms, but only a Temporary Concession of the Committee: And the *Scots* insisted it was, and had all the necessary Formalities and Corroborations of a Treaty.

Besides

Besides the Exceptions to the Propositions drawn by the Two Houses, the *Scots* Commissioners also desired an Addition of Two more, relating to the Advantage of their Nation; *viz.* 1. That in regard of the great Advantage which a Kingdom enjoyeth by the Royal Presence and ordinary Residence of their Sovereign with them, and the great Loss and Prejudice which the other Kingdom doth sustain thro' their Absence, by their not understanding the Disposition of their People, or Condition of their Affairs, but from the Informations of others, besides many other Prejudices; we do therefore earnestly desire the Consent of the Honourable Houses for sending to his Majesty a Proposition, That the King and the Prince, and after them, their Heirs and Successors, shall, at least One Year of Three, reside in *Scotland*, where they may personally discharge that Duty they owe to the Subjects of that Kingdom, where Conscience cannot always allow them to be Non-Residents, nor the Welfare of the Kingdom dispense with their constant Absence. 21 *Caroli.*

2. Upon the like Causes and Grounds, we desire the Honourable Houses to concur with us in a Desire to his Majesty, That in all Places of Trust, and Offices about the King, Queen, and Prince, and rest of his Royal Children, the equal Half, or at least the Third Part, may be of the *Scotish* Nation, lest by Time they become Strangers each unto other, which must needs produce many Inconveniences. And this we trust will not be interpreted as the casting in of any Let or Hindrance to retard the Propositions, sith the Honourable Houses have given so good Hopes of their Consent, without Debate, to such Propositions, as, we conceive, to be conducible for the Good and Security of the Kingdom of *Scotland*.

The Two Houses are incens'd at the Printing the *Scots* Papers.

Soon after the Delivery of these Papers, and before the Two Houses had return'd any Answer, the same were published in Print (supposed to be done by the Order and Connivance of the *Scots* Commissioners) but with a Preface or Epistle as from a private Hand, pretending to state the Case between the Parliament and the said Commissioners. The Houses being informed of this Publication, did on the 14th of *April* concur in a joint Vote, That *the Matter contained in the said printed Paper was false, and scandalous against the Parliament and Kingdom of* England: *That they should be burnt by the Common Hangman; and that a Declaration should be drawn up, which should hold forth to the whole World the Untruths therein contained, and the Innocency and Integrity of the Parliament: And that the Author or Publisher was an Incendiary between the Two Kingdoms.* And on the 21st of the same Month, the Preface to the said Pamphlet, entituled, *The* Scotch *Commissioners Papers, and the Stating of the Question about the Propositions for Peace,* was accordingly burnt by the Common Hangman, but not the *Scotch* Commissioners Papers. And in the mean Time, on the 17th the Two Houses publish'd the following Declaration.

The Preface to the Book of the *Scotch* Papers burnt by the Common Hangman, *April* 21.

Die Veneris 17. April. 1646.

A Declaration of the Commons of England *assembled in Parliament, of their true Intentions concerning the Ancient and Fundamental Government of the Kingdom, the Government of the Church, the present Peace, securing the People against all Arbitrary Government, and maintaining a right Understanding between the Two Kingdoms of* England *and* Scotland, *according to the Covenant and Treaties.*

A Declaration of both Houses, of their true Intentions to maintain the Fundamental Government, *&c.* April 17.

WE the Commons in Parliament assembled, well remembring, that in the Beginning of this War, divers Protestations, Declarations, and Suggestions, were spread abroad by the King, and those that did adhere to him, whereby our sincere Intentions for the Publick were misrepresented, and the Minds of many possessed with a Belief, that our Resolutions and Proceedings were grounded upon needless Fears and Jealousies, and that there was no necessary and just Cause of the present War; the Untruth and Deceitfulness whereof, by the good Hand of God miraculously discovering the Secrets of our Enemies, disposing and blessing our Affairs, Time and Experience have since fully manifested, to the undeceiving of those that were seduced thereby: Which Mistakes of the People, by this Artifice and Cunning of the Enemy, for some Time much blemished the Justice of this Cause, and not only propagated the War, but hazarded the Success thereof: And if the Enemy by these

Ann. 1646. means had prevailed, how dangerous the Consequences would have been, is most apparent.

And now observing, that it has pleased God so to bless our Endeavours, and the Actions of our Forces and Armies, as that the Enemy is in Despair to accomplish his Designs by War, and we are brought into good Hopes of attaining and enjoying that which with so much Expence of Blood and Treasure we have contended for; there are still the same Spirits stirring, and Humours working, as in the beginning, tho under other Disguises, and upon other Grounds putting false Constructions as well upon what hath already passed the Houses, as upon the Things under present Debate, and misrepresenting our Intentions in the Use we desire to make of this great Success which God has given us, and the happy Opportunity to settle Peace and Truth in the Three Kingdoms; not ceasing, as well in Print as otherwise, to beget a Belief that we now desire to exceed or swerve from our first Aims and Principles in the undertaking this War, and to recede from the Solemn League and Covenant, and Treaties between the Two Kingdoms; and that we would prolong these uncomfortable Troubles, and bleeding Distractions, in order to alter the Fundamental Constitution and Frame of this Kingdom, to leave all Government in the Church loose and unsettled, and ourselves to exercise the same Arbitrary Power over the Persons and Estates of the Subjects, which this present Parliament hath thought fit to abolish, by taking away the Star-Chamber, High-Commission, and other arbitrary Courts, and the exhorbitant Power of the Council-Table.

All which seriously considered by us, altho' our Actions and Proceedings, from Time to Time, since the Beginning of this Parliament, and particularly in the Managing of this great Cause, are the best Demonstrations of our Sincerity and Faithfulness to the Publick; yet foreseeing, that if Credit be given to such dangerous Insinuations and false Surmises, the same will not only continue the present Calamities, and involve us into new and unexpected Embroilments, but likewise inevitably endanger the happy Issue and Success of our Endeavours, which, by God's Blessing, we may otherwise hope for.

We do declare, That our true and real Intentions are, and our Endeavours shall be, to settle Religion in the Purity thereof, according to the Covenant; to maintain the Antient and Fundamental Government of this Kingdom; to preserve the Rights and Liberties of the Subject; to lay hold on the first Opportunity of procuring a safe and well-grounded Peace in the Three Kingdoms; and to keep a good Understanding between the Two Kingdoms of *England* and *Scotland*, according to the Grounds expressed in the Solemn League and Covenant, and Treaties; which we desire may be inviolably observed on both Parts.

And lest these Generals should not give a sufficient Satisfaction, we have thought fit, to the End Men may be no longer abused into a Misbelief of our Intentions, or a Misunderstanding of our Actions, to make this further Enlargement upon the Particulars.

And first, Concerning Church-Government, we have so fully declared for a Presbyterial Government, having spent so much Time, taken so much Pains for the Settling of it, passed most of the Particulars brought to us by the Assembly of Divines (called only to advise of such Things as shall be requir'd of them by both or either of the Houses of Parliament) without any material Alteration, saving in the Point of Commissioners: And having published several Ordinances for putting the same in Execution; because we cannot consent to the granting of Arbitrary and Unlimited Power and Jurisdiction to near Ten Thousand Judicatories to be erected within this Kingdom; and this demanded in such a Way as is not consistent with the Fundamental Laws and Government of the same, and by necessary consequence excluding the Power of the Parliament of *England* in the Exercise of that Jurisdiction, and whereof we have received no Satisfaction in Point of Conscience or Prudence, which differ not in any Fundamentals of Religion, may be so provided for, as may stand with the Word of God, and the Peace of the Kingdom.

It must therefore seem very strange to us, if any sober and modest Men should entertain a Thought that we should settle no Government in the Church, when our Unwillingness to subject ourselves and the People of this Land to this vast Power, has been a great Cause that the Government hath not

not been long ſince eſtabliſhed. And we deſire it may be obſerved, That we have had the more Reaſon, by no means to part with this Power out of the Hands of the Civil Magiſtrate, ſince the Experience of all Ages will manifeſt, that the Reformation and Purity of Religion, and the Preſervation and Protection of the People of God in this Kingdom, hath under God been by the Parliaments, and their Exerciſe of this Power. And our full Reſolutions ſtill are ſincerely, really, and conſtantly, through the Grace of God, to endeavour the Reformation of Religion in the Kingdoms of *England* and *Ireland*, in Doctrine, Worſhip, Diſcipline and Government, according to the Word of God, and the Examples of the beſt-Reformed Churches, and according to our Covenant. 22 *Caroli.*

Whence it may appear to all Men, that thoſe Rumors and Aſperſions whereby the Minds of Men are ſo diſturbed for want of the preſent ſettling of Church-Government, are to be applied to thoſe who having a ſufficient Power and Direction from the Houſes on that Behalf, have not as yet put the ſame in Execution.

And whereas a ſafe and good Peace is the right End of a juſt War, there is nothing we have more earneſtly deſired, nor more earneſtly laboured after; and to that Purpoſe both Houſes of Parliament have framed ſeveral Propoſitions to be ſent to the King, ſuch as they hold neceſſary for the preſent and future Safety and Good of this Kingdom; ſome of which are tranſmitted from both Houſes to our Brethren of *Scotland*, where they now remain: Whoſe Conſent that they may be ſpeedily ſent to the King, we ſhall not doubt to obtain, ſince the Parliament of *England* is and ought to be ſole and proper Judge of what may be for the Good of this Kingdom; the ſame Liberty having been always by us admitted to the Kingdom of *Scotland* in all Things that concern that Kingdom; wherein we are ſo far from altering the Fundamental Conſtitution and Government of this Kingdom by Kings, Lords, and Commons, that we have only deſired, that with the Conſent of the King, ſuch Powers may be ſettled in the two Houſes, without which we can have no Aſſurance but that the like or greater Miſchiefs than theſe which God hath hitherto delivered us from, may break out again, and engage us in a ſecond and more deſtructive War.

Whereby it plainly appears our Intentions are not to change the Ancient Frame of Government within this Kingdom, but to obtain the End of the Primitive Inſtitution of all Government, the Safety and Weal of the People; not judging it wiſe or ſafe, after ſo bitter Experiences of the bloody Conſequences of a pretended Power of the Militia in the King, to leave any colourable Authority in the ſame, for future Attempts of introducing an Arbitrary Government over this Nation, and protecting Delinquents, Enemies of our Religion and Liberties by Force from the Juſtice of Parliament; the firſt and chiefeſt Grounds of the Paliament's taking up Arms in this Cauſe.

And altho' the Neceſſity of War hath given ſome Diſturbance to Legal Proceedings, ſtopped the uſual Courſe of Juſtice, enforced the Parliament for the Preſervation of this State, to impoſe and require many great and unuſual Payments from the good Subjects of this Kingdom, and to take extraordinary Ways for procuring of Moneys for their many preſſing Occaſions; it having pleaſed God to reduce our Affairs into a more hopeful Condition than heretofore: We do declare, that we will not, nor any by Colour of any Authority derived from us, ſhall interrupt the ordinary Courſe of Juſtice in the ſeveral Courts and Judicatories of this Kingdom, nor intermeddle in Caſes of private Intereſt otherwhere determinable, unleſs it be in Caſes of Male Adminiſtration of Juſtice, wherein we ſhall ſee and provide that Right be done, and Puniſhment inflicted as there ſhall be Occaſion, according to the Laws of the Kingdom, and the Truſt repoſed in us. And as both Houſes have already for the Eaſe and Benefit of the People, taken away the Court of Wards and Liveries, with all Tenures *in Capite*, and by Knight-Service, ſo we will take ſpecial Care that as ſpeedy and as great Eaſe may be had in future Levies of Money, by reducing of Garriſons, and other Ways, as the preſſing Occaſions of the Kingdom can poſſibly admit; and will provide, by bringing Delinquents to due Puniſhment (who have unnaturally fomented and maintained this preſent War againſt the Parliament and Kingdom) that there may be a fair Poſſibility of ſatisfying the Diſburſements, clearing the Engagements, and repairing the

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Losses of those who have faithfully and cheerfully laid out themselves, and suffered for the Publick Service, unless by too great Credulity given to false Suggestions, we shall be disabled from effecting what we desire.

Lastly, Whereas both Nations have entred into a Solemn League and Covenant, and Treaties have been made and concluded between the two Kingdoms of *England* and *Scotland*, we have had an especial Regard of the Treaties, and have not (to our best Judgments) failed of the Performance of any Thing which was on our Part to be Performed. And for the Covenant, we have been and ever shall be very careful duly to Observe the same; that as nothing hath been done, so nothing shall be done by us, repugnant to the true Meaning and Intention thereof; and do presume no Interpretation of it (so far as it shall concert the Kingdom of *England*) shall by any be endeavoured to be imposed on us, other than we ourselves do know to be suitable to the first just Ends for which it was agreed: And we do expect, that the People of *England* should not receive Impressions of any forced Constructions of that Covenant; which in Case of any Doubt arising, is only to be expounded by them by whose Authority it was established in this Kingdom, who will not depart from those Grounds and Principles upon which it was framed and founded.

The Commons Order 10000 *l.* present, and 10000 *l. per Ann.* to be paid for the Support of the Queen of *Bohemia*, *Apr.* 20.

A Report being made to the House of Commons, concerning the Stipend to be allowed from the Kingdom of *England* to her Majesty the Queen of *Bohemia* (a Daughter of this Crown) and finding some Inconveniences in the manner of Raising the same out of several Delinquents Estates, as was formerly proposed, it was therefore Ordered, that the Committee of *Goldsmiths-Hall* should advance the Sum of ten thousand Pounds for the present Support of that Queen; and likewise for her future Accommodation, that the Sum of 10000 *l. per Ann.* should be advanced and paid by the Committee of the Revenue to her said Majesty, or such as she should appoint to receive the same.

Woodstock surrendred *Apr.* 26.

Col. *Rainsborough* and Col. *Fleetwood* had for some Time streightned *Woodstock*, whereupon the Garrison desired a Parley, and a Safe Conduct for Commissioners to come from *Oxford* to Treat with an equal Number of the Besiegers: Which being granted, there came from *Oxford* to the Earl of *Southampton*, Earl of *Lindsey*, Sir *William Fleetwood*, and Col. *Ashburnham*; who were met by Col. *Rainsborough*, Col. *Fleetwood*, Major *Harris*, and Major *Desborough*; and after some Treaty, came to an Agreement, that the said Garrison, with the Arms and Ammunition, should be Surrendred to the use of the Parliament; the Field-Officers to March away with their Swords, the other Officers and Soldiers without Arms, to have a Convoy to *Oxford*.

800 *l. per An.* to be allowed to the Bishop of *Durham*,

The Commons having passed a Vote for the Allowance of 800 *l. per Ann.* to the Bishop of *Duresme*, sent the same up to the House of Peers for their Concurrence; who Consented thereunto.

Hiarchal surrendred.

The Committee of *Shropshire* were at this Time active, towards the End of *March*, 1646. Some Forces sent forth by them, brought the Garrison of *Hiarchal* to surrender, with all the Arms and Ammunition: The Officers and Gentlemen, being in Number about forty, had Conditions to March out with Horse and Arms with a Convoy to *Worcester*. From thence the Parliament's *Shropshire* Forces Marched to *Bridgnorth*, and summoned the Town and Castle: Col. *Billingsley*, who Commanded in Chief in the Town, would Return no Answer; but Col. *Howard*, Governour of the Castle, gave a fair Denial: Hereupon the Besiegers prepared to Storm, wherein they succeeded so far, that they made themselves Masters of the Town, but the Castle held out near a Month longer, and at last surrendred upon Conditions to March away without Arms; and Col. *Lloyd* was appointed Governour there.

Bridgnorth taken by the Parliament's Forces.

Questions put by the Commons to the Assembly of Divines, about the *Jus Divinum* of Presbytery. *April* 30. 1646.

Questions propounded to the Assembly of Divines by the House of Commons, touching the Point of Jus Divinum *in the Matter of Church-Government.*

WHereas it is Resolved by both Houses, that all Persons guilty of notorious and scandalous Offences, shall be suspended from the Sacrament of the Lord's Supper; the House of Commons desires to be satisfied by the Assembly of Divines in the Questions following.

1. Whether the Parochial and Congregational Elderships, appointed by

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Ordinance of Parliament, or any other Congregational or Presbyterial Elderships, are *Jure Divino*, and by the Will and Appointment of Jesus Christ? And whether any particular Church-Government be *Jure Divino*? And what that Government is? 22 *Caroli*.

2. Whether all the Members of the said Elderships, as Members thereof, or which of them, are *Jure Divino*, and by the Will and Appointment of Jesus Christ?

3. Whether the Superior Assemblies or Elderships, *viz.* the Classical, Provincial, and National, whether all, or any of them, and which of them are *Jure Divino*, and by the Will and Appointment of Jesus Christ?

4. Whether Appeals from Congregational Elderships to the Classical, Provincial, and National Assemblies, or any of them, and to which of them, are *Jure Divino*, and by the Will and Appointment of Jesus Christ? And are their Powers upon such Appeals *Jure Divino*, and by the Will and Appointment of Jesus Christ?

5. Whether Oecumenical Assemblies are *Jure Divino*? And whether there be Appeals from any of the former Assemblies to the said Oecumenical, *Jure Divino*, and by the Will and Appointment of Jesus Christ?

6. Whether by the Word of God the Power of Judging and declaring what are such notorious and scandalous Offences, for which Persons guilty thereof are to be kept from the Sacrament of the Lord's Supper, and of conventing before them, trying, and actual Suspending from the Sacrament of the Lord's Supper such Offenders accordingly, is either in the Congregational Eldership or Presbytery, or in any other Eldership, Congregation, or Persons; and whether such Powers are in them only, or any of them, and in which of them, *Jure Divino*, and by the Will and Appointment of Jesus Christ?

7. Whether there be any certain and particular Rules expressed in the Word of God, to direct the Elderships, or Presbyteries, Congregations or Persons, or any of them, in the Exercise and Execution of the Powers aforesaid; and what are those Rules?

8. Is there any Thing contained in the Word of God, That the Supreme Magistracy in a Christian State may not Judge and Determine what are the aforesaid notorious and scandalous Offences, and the Manner of Suspension for the same; and in what particulars concerning the Premisses is the said Supreme Magistracy by the Word of God excluded?

9. Whether the Provision of Commissioners to judge of Scandals not enumerated (as they are Authorized by the Ordinance of Parliament) be contrary to that Way of Government which Christ hath appointed in his Church; and wherein are they so contrary?

In Answer to these Particulars the House of Commons desires of the Assembly of Divines, their Proofs from Scripture, and to set down the several Texts of Scripture in the express Words of the same: And it is ordered, that every particular Minister of the Assembly of Divines, that is or shall be present at the Debate of any of these Questions, do upon every Resolution which shall be presented to this House concerning the same, subscribe his respective Name, either with the Affirmative or Negative, as he gives his Vote: And that those that do Dissent from the major Part, shall set down their Positive Opinions, with the express Texts of Scripture upon which ther Opinions are grounded.

His Majesty's Forces in *Cornwal*, under the Lord *Hopton*, being, pursuant to the Treaty, wholly disbanded by the End of the Year 1645, Sir *Thomas Fairfax* the Parliament's General, with his Army, prepared to March back; and on the 31*st* of *March*, 1646. drew up before *Exeter*, and sent in the following Summons.

Fairfax Marches back out of *Cornwal*, until his coming before *Oxford*.

SIR,

Being return'd with my Army from the *West*, where God in his Wisdom saw it good to bestow a dry and bloodless Victory upon me, to the great Quiet and Peace of those Parts; and conceiving it my Duty likewise to endeavour the Good of this Country, which by the Occasion of your Garrison is necessarily Obstructed: I thought fit once more to send you a Summons to deliver

Fairfax's Summons to the City of *Exeter*, *March* 31. 1646.

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deliver up to me the City of *Exeter*, with the Castle, Forts, Arms, Ammunition, and Magazine belonging to the same; believing that by this Time you are satisfied of no Relief from the Prince's Army, and may equally be of all Relief to come from any other Place, if your Intelligence and Knowledge were the same with ours. There is nothing more induceth me hereunto, than an unfeigned Zeal against any Bloodshed, and as much as in me lies to preserve that City, which hath already suffered deeply in the unnatural Distractions, from further or greater Misery. Tho' I shall not boast of my Numbers or Strength, yet I must tell you, that I doubt not but the same Power which hath formerly made difficult Things easy, will answer this, and will acquit me from being accounted the Occasion of those Inconveniences and Miseries which necessarily will ensue upon your Refusal. I shall expect your speedy and positive Answer herein, and rest, *Your Servant*,

March 31. 1646. Tho. Fairfax.

Whereunto on *Wednesday*, *April* 1. Sir *John Berkley* returned this Answer to the Summons.

The Governor's Answer.

SIR,

UPon your Summons I called a Council of War, where after some Debate it was determined to treat with you, or with whom you should appoint; and to conclude upon just and honourable Terms: And to that Purpose I desire a safe Conduct for these Persons to repair to your Head-Quarters with their Servants, on *Friday* Morning, and to return at their Pleasure. I remain,

April 1. 1646. *Your Servant*, Jo. Berkley.

Those first Named by Sir *John Berkley* were,

Sir *Henry Berkley*,	Capt. *Fitzgerard*,
Mr. *William Ashburnham*,	Mr. *Robert Walker*,
Sir *George Cary*,	Mr. *Thomas Knight*,
Mr. *John Wear*,	Mr. *Thomas Kendal*,
Col. *Godolphin*,	Mr. *Thomas Foard*.

Whereupon, *Thursday April* 2. Sir *Thomas Fairfax* returned this Answer.

Fairfax's Second Letter, *April* 1.

SIR,

I Have received yours, whereby I understand that in Pursuance of my Demand in my Summons, you have determined to treat with me by Commissioners; and in Order to that have sent a List of ten Gentlemen, which you desire for Commissioners on your Behalf; of which there is none in particular that I take Exceptions unto; yet because I desire to carry on the Business with Clearness and Expedition, which by so great a Number cannot be so well effected, I thought fit to propound unto you the Number of six, that being as many as conveniently can be used in a Business of this Nature. Upon Consent hereto, and Answer, I shall, according to your Desire, send you a safe Conduct for a proportional Number of Commissioners; and in the mean Time shall rest, *Your Servant*,

April 1. 1646. Tho. Fairfax.

I agree the Time to begin on *Friday* next, according to your Desire; the Place *Poltimore*-House. I have sent a List of the Commissioners on my Part.

Lieutenant-General *Hamond*,	Col. *Harley*,
Col. Sir *Hardress Waller*,	Col. *Fry*,
Col. *Lambert*,	Commissary *Stane*.

Thursday, *April* 2. Commissioners were appointed, and a safe Conduct granted. *Friday* 3. the Treaty began at *Poltimore*, Sir *John Bamfield*'s House, *Saturday*, *Sunday*, *Monday*, *Tuesday*, and *Wednesday*, the Treaty continued, sitting close at it every Day, and the most Part of the Night, 'till they had concluded it. And so on *Thursday*, *April* 9. the Articles were mutually signed, as followeth:

Articles

Articles of Agreement concluded on by Thomas Hamond, *Lieutenant-General of the Ordnance, Col. Sir* Hardress Waller, *Col.* Edward Harley, *Col.* Lambert, *Commissary-General* Stane, *and Major* Watson, *Scoutmaster-General, Commissioners on the Behalf of the Right Honourable his Excellency Sir* Thomas Fairfax, *General of the Parliament's Forces, on the one Party: And Sir* Henry Berkley, *Sir* George Cary, *Col.* Ashburnham, *Col.* Godolphin, *Capt.* Fitzgerald, *Mr.* John Weare, *Mr.* Robert Walker, *and Mr.* Thomas Knight, *Commissioners on the Behalf of Sir* John Berkley, *Knight, Governour of the City of* Exeter, *on the other Party: Touching and concerning the Rendition of the said City and Garrison; as followeth:*

21 Caroli.

Articles of the Surrender of *Exeter*, *April* 9. 1646.

I. That the City and Garrison of *Exeter*, together with the Castle, and all Forts and Mounts, Places of Defence, of or belonging to the same, with all Ordnance, Arms, and Ammunition, Provisions, and Furniture of War belonging to the Garrison (excepting what shall be excepted in the ensuing Articles) shall be delivered unto Sir *Thomas Fairfax*, General of the Parliament's Forces, or to any whom he shall appoint to receive them, for the Use of the Parliament, on *Monday* next after the Date hereof, being the Thirteenth of this Instant *April*, by Twelve of the Clock at Noon.

II. That if any Officer, Soldier, or any Person (included in these Articles) wrong or plunder in Person or Goods (in their March away, or before) any Citizen or Countryman, or any Person whatsoever, shall, as far as he is able, give Satisfaction to the Persons so injured, at the Judgment of his Excellency Sir *Thomas Fairfax*.

III. That if any Officer, Soldier, or any Person (included in these Articles) shall after the Date hereof wilfully break, deface, spoil, or imbezle any Arms, or other Provisions of War whatsoever, by the precedent Articles to be surrendred, as aforesaid, shall lose the Benefit of the ensuing Articles.

IV. That the Princess *Henrietta* and her Governess, with her Houshold, shall have full Liberty to pass with her Plate, Money, and Goods, within Twenty Days after the Conclusion of this Treaty (when she shall desire) to any Place within the Continent of *England*, or Dominion of *Wales*, at the Election of the Governess, and there to remain until his Majesty's Pleasure be further known touching her settling; and that the Governess shall have Liberty to send to the King, to know his Pleasure herein, accordingly to dispose of her Highness, within the aforesaid Limitation of Places: And that fit and convenient Carriages be provided for their Passage, at reasonable Rates.

V. That the Cathedral Church, nor any other Church within the City shall be defaced, or any thing belonging thereunto, spoiled or taken away, by any Soldier or Person on either Side whatsoever.

VI. That the Governor, together with all Lords, Clergymen, Gentlemen, Captains, Officers, Troopers, and Common Soldiers, shall march out of the City on *Monday* next, the 13th of *April*, by Twelve of the Clock at Noon, with their Horses, full Arms, Bag and Baggage, and their Goods, Colours flying, Drums beating, Matches lighted, Bullets, full Bandaliers, with sufficient Convoys unto *Oxford*, or unto *Helston* in *Cornwal*, at their several Elections: And in case the Governor of *Oxford* shall refuse to receive the Common Soldiers that shall march thither, they are there to deliver up their Arms to the Convoy, and have Passes to repair to their several Homes. And those that march unto *Helston* are there to be disbanded, and to have Passes to their several Homes. That all Troopers and Common Soldiers, which march not as aforesaid, shall deliver up their Arms, except their Swords, and have Liberty to go to their own Homes with Bag and Baggage, and shall not be compelled to take up Arms against the King. Provided also, That all Officers and Gentlemen, that shall chuse to go to *Oxford*, and not take up Arms, shall repair into the Parliament's Quarters within Forty Days after the Date hereof, and shall enjoy the Benefit of these Articles.

VII. That all those which shall march to the Garrisons aforesaid, shall have Free Quarters in their March, and not be obliged to march above Ten Miles a Day; and that such other Soldiers as are Inhabitants in the City, shall receive free Liberty to march out, or remain therein, without being compelled to take up Arms against the King. And if any Soldiers fall sick upon their March, that convenient Carriages and Accommodations shall be provided for them.

VIII. That

Ann. 1646. VIII. That all Lords, Gentlemen, Clergymen, Chaplains and Officers, that ſhall chuſe to go beyond the Seas, ſhall march away with their full Arms for their own Uſe: And that all Common Soldiers ſhall march away with their full Arms, with a ſufficient Convoy, unto the Port which they ſhall chuſe for their Tranſportation; which Arms they ſhall there lay down, and deliver unto the Governor of the next Garriſon belonging to the Parliament; the ſaid Governor providing for their Safety during the Time of their Abode there; where they ſhall be aſſiſted for the procuring Veſſels and Shipping for their Tranſportation at the accuſtomed Rates, and ſhall have free Quarter for One and Twenty Days allowed to provide for their Paſſage. After which Time ſhall be expired, the ſame Officers and Soldiers, paying for their Quarters, ſhall have Liberty to ſtay until Shipping be provided, and Weather ſeaſonable; and that during their Stay, or before, it ſhall be permitted that any Two of them may go to *London*, to treat with any Foreign Embaſſador or Agent, for a Commiſſion to be entertained beyond the Seas.

IX. That neither the Officers, Soldiers, nor any Perſon whatſoever, in their going out of the City ſhall be reproached, or have any diſgraceful Speeches, or Affront offered to them, or any of their Perſons wronged, rifled, ſearched, or their Goods ſeized or taken away from them by any Perſon whatſoever.

X. That the Governor, Lords, Gentlemen, Clergymen, Chaplains, Commanders, Officers and Soldiers, comprized in theſe Articles, ſhall be allowed and aſſiſted in providing of ſufficient Carriages at reaſonable Rates, to carry away their Bag, Baggage and Goods; and that Care be taken by the future Governor of the ſaid City, for the Curing of ſuch Sick or Wounded Officers and Soldiers as ſhall be left in the City; and that, upon Recovery, they ſhall have Paſſes to repair to their own Houſes reſpectively.

XI. That the Parliament Forces come not into the City, until the King's Forces be marched out; except One Hundred and Fifty Foot, and One Troop of Horſe, with their Officers.

XII. That no Lords, Knights, Gentlemen, Clergymen, Chaplains, (excepting thoſe who are by Name excepted by Parliament from Pardon and Compoſition) Officers, Citizens, and Soldiers, and all other Perſons comprized within theſe Articles, ſhall be queſtioned or accountable for any Act paſt by them done (or by any other by their Procurement) relating unto the unhappy Differences betwixt his Majeſty and Parliament; they ſubmitting themſelves to reaſonable and moderate Compoſition for their Eſtates; which the General, Sir *Thomas Fairfax*, ſhall really endeavour with the Parliament, that it ſhall not exceed Two Years Value of any Man's real Eſtate reſpectively; and for perſonal, according to the ordinary Rule, not exceeding the Proportion aforeſaid: Which Compoſition being made, they ſhall have Indemnity for their Perſons, and enjoy their Eſtates and all other Immunities, without payment of any Fifth, or Twentieth Part, or any other Taxes or Impoſitions except what ſhall be hereafter charged upon them in common with other Subjects of this Kingdom, by Authority of Parliament.

XIII. That all Lords, Knights, Gentlemen, Clergy and Chaplains (excepted in the precedent Articles) ſhall have Liberty to go to any of the King's Garriſons, and to have a ſafe Conduct for themſelves and Servants, to go unto the Parliament to obtain their Compoſition for their Eſtates, and Indemnity for their Perſons; which (tho' it prove ineffectual) yet neverthelefs they ſhall have Four Months Time, next after the Date of theſe Articles, to endeavour their Peace, or to go beyond the Seas, and ſhall have Paſſes for that Purpoſe.

XIV. That all Horſes, Arms, Money, and other Goods whatſoever, taken as lawful Prizes of War, before or during the Siege, now in the City, be continued in the Poſſeſſion of the preſent Poſſeſſors.

XV. That all Officers, Gentlemen, Citizens, Inhabitants, Clergymen, Chaplains, Soldiers, and all other Perſons within the City, during the Time of their making their Compoſition, ſhall have free Liberty either to inhabit within the ſame City, or ſhall have free Liberty at any Time to depart with their Families, Goods and Eſtates, unto any Part of this Kingdom in the Parliament's Quarters; and before Compoſition made, the Merchants and Tradeſmen to enjoy their Merchandizing and Trades; and after Compoſition

made,

made, all others not prohibited by Ordinances of Parliament) to enjoy and exercise their Professions, or go beyond the Seas: And they and every of them shall have power to dispose and sell to their own Uses, either by themselves or others, whatsoever Part of their Goods or Estates they shall not carry or convey away with them. And all Inhabitants which did inhabit within the City within Seven Months past, having made their Compositions, as aforesaid, shall enjoy the Benefit of this, and the Twelfth, and the Two and Twentieth Articles. 22 *Caroli.*

XVI. That all Charters, Customs, Privileges, Franchises, Liberties, Lands, Estates, Goods and Debts of the Mayor, Aldermen, Bayliff, Commonalty, as a Corporation, and all other Corporations of the said City, shall be enjoyed by them; and that the antient Government thereof remain as formerly.

XVII. That if any Persons or Inhabitants, which are comprised within these Articles, shall break any of them; that such Breach shall only touch and concern such Persons, and to make such Satisfaction for the same, as the Cause doth require.

XVIII. That all Persons, comprized within these Articles, shall have a Certificate under the Hand of his Excellency Sir *Tho. Fairfax*, or the future Governor of the City; That such Persons were in the City at that Time of the Surrender thereof, and are to have the Benefit of these Articles.

XIX. That his Excellency Sir *Thomas Fairfax* gives Assurance, that Officers and Soldiers, in the Parliament's Army, and all others under his Command, shall duly and exactly observe all Articles aforesaid. And that if they, or any of them, shall directly or indirectly violate or infringe the same, upon Complaint thereof, Justice may be done, and Reparation made.

XX. That the Inhabitants of the City shall be eased and freed from all free Quarter, or Billet of Soldiers, except in Cases of urgent Necessity, other than for Lodging; and that to be ordered and disposed of by the Advice of the Mayor, or his Deputy.

XXI. That no Oath, Covenant, Protestation, or Subscription (relating thereunto) shall be imposed upon any Person whatsoever, comprized within these Articles, but only such as shall bind all Persons aforesaid, not to bear Arms against the Parliament of *England*, now sitting at *Westminster*, nor wilfully do any Act prejudicial to their Affairs, whilst they remain in their Quarters; except the Persons aforesaid shall first render themselves unto the Parliament, who shall cause them to be secured, if they think fit.

XXII. That for the further and clearer Understanding of the present Articles, it is hereby declared, that the true Meaning of them is, That all Persons, comprized within these Articles, shall quietly and peaceably enjoy all their Goods, Debts, and Moveables during the Space of Four Months next ensuing, and be free from all Oaths, Covenants, and Protestations, and have Liberty within the Time of the said Four Months, in Case they shall not make their Composition with the Parliament (and shall be resolv'd to go beyond Seas) to dispose of their said Goods, Debts, and Moveables, allowed by the Articles, and to depart the Kingdom, if they shall think fit, and to have Passes for that Purpose, or otherwise to stay in the Kingdom.

XXIII. That Mount *Radford*, and the Ward in St. *Thomas*'s Parish, with the Provisions of War thereunto belonging, be delivered unto his Excellency Sir *Tho. Fairfax*, or whom he shall appoint to receive them, in Assurance of the Performance of the precedent Articles, to Morrow by Six of the Clock in the Afternoon, being the 17th of *April*: And that Four such Gentlemen or Officers as his Excellency shall approve of, shall be delivered at the same Time, as Hostages for the Performance of the foregoing Articles on the one Part, and Two Hostages, such as Sir *John Berkley*, Knt. Governor of the City of *Exeter*, shall approve of, and appoint to be received, for Performance on the other Part.

XXIV. Lastly, That these Articles be ratified and confirmed mutually by his Excellency Sir *Thomas Fairfax* on the one Part, and Sir *John Berkley*, Knt. Governor of the City, on the other Part.

I do hereby Ratify and Confirm the Articles abovesaid, agreed on by the Commissioner on my Part,

April 9. 1646. Tho, Fairfax.

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Whilst this Treaty was in Hand, *Fairfax* sent Commissary-General *Ireton*, with his own Regiment, and Col. *Rich*'s, and some other Regiments of Horse towards *Oxford*, to hinder Provisions from being carried in thither. And on *Friday*, *April* 10. himself advanced to *Barnstaple*, and summoned that Town, who not being in a Capacity to make a long Defence, came to a Capitulation, which was concluded on *Sunday* the 12th, the Articles being in effect much the same as those of *Exeter:* To which Place *Fairfax* return'd on the 15th, and stay'd there three Days, for settling the Affairs of that City, where he appointed Col. *Hammond* Governor. And on the 18th began his March towards *Oxford*, quartering that Night at *Chard*, and the next Night to *Dorchester*; and on *Monday* the 20th to *Salisbury*, waiting there 'till the 23d for the coming up of all his Foot, and Train of Artillery; where he received sundry Complaints of the Violation of *Cornwal* and *Exeter* Articles, by the Committee's Troops of several Counties, taking from divers their Horses and Arms, and other Necessaries, which by the Articles they were to carry away with them.

Barnstaple surrendred to *Fairfax*, &c. *April* 12.

Fairfax marches towards *Oxford*.

On the 24th of *April*, Part of his Army advanced to *Andover*, whither he went himself the next Day, and on *Monday* the 27th came to *Newbury*.

His Majesty being at *Oxford*, observing the ill Posture of his Affairs, had resolv'd to betake himself to the *Scots* Army before *Newark*. Touching the Grounds and Motives of which unexpected Resolution, his Majesty gave this Account in a Letter to the Marquess of *Ormond*, dated the 13th of *April*; though the same was not publickly known 'till a considerable Time after; as shall be mentioned in its due Place.

His Majesty's Letter to the Marquess of *Ormond*, Lord Lieutenant of *Ireland*, from *Oxford*, *April* 13. 1646. touching his going to the *Scots*.

Charles R.

Right Trusty and entirely Beloved Cousin and Counsellor, we greet you well. Having used all possible and honourable Means, by sending many Gracious Messages to the Two Houses of Parliament; wherein we have offered them all they have heretofore desired; and desired from them nothing but what they themselves (since these unhappy Wars) have offered, to procure our Personal Treaty with them for a safe and well-grounded Peace: And having instead of a dutiful and peaceful Return to our said Messages, received either no Answer at all, or such as argues nothing will satisfy them, but the Ruin, not only of us, our Posterity and Friends, but even of Monarchy itself: And having lately received very good Security, That We, and all that do or shall adhere to us, shall be safe in our Persons, Honours, and Consciences, in the *Scotish* Army; and that they shall really and effectually join with us, and with such as will come in to us, and join with them for our Preservation, and shall employ their Armies and Forces to assist us to the procuring of an happy and well-grounded Peace, for the good of us and our Kingdoms, in the Recovery of our just Right: We have resolved to put ourselves to the Hazard of passing into the *Scots* Army, now lying before *Newark:* And if it shall please God that we come safe thither, we are resolved to use our best Endeavour, with their Assistance, and with the Conjunction of the Forces under the Marquess of *Montross*, and such of our well-affected Subjects of *England* as shall rise for us, to procure, if it may be, an honourable and speedy Peace with those who have hitherto refused to give any Ear to any Means tending thereto. Of which our Resolution we held it necessary to give you this Advertisement, as well to satisfy you, and our Council, and Loyal Subjects with you (to whom we will that you communicate these our Letters); that failing in our earnest and sincere Endeavours by Treaty, to put an end to the Miseries of these Kingdoms, we esteemed ourself obliged to leave no probable Expedient unattempted, to preserve our Crown and Friends from the Usurpation and Tyranny of those whose Actions declare so manifestly their Designs to overthrow the Laws and happy established Government of this Kingdom. And now we have made known to you our Resolution, we recommend to your special Care the Disposing and Managing our Affairs on that Side, as you shall conceive most for our Honour and Service; being confident the Course we have taken (tho' with some Hazard to our Person) will have a good Influence on that our Kingdom, and defer, if not altogether prevent the Rebels transporting of Forces from them into that Kingdom. And we desire you to satisfy all our well-affected Subjects on that Side, of our princely Care of them

whereof they shall receive the Effect, as soon as God shall enable us. We desire you to use some Means to let us and our Council at *Oxon* hear frequently from you, and of your Actions and Condition there: And so God prosper your Loyal Endeavours. *Given at our Court at* Oxon *the* 13*th of* April, 1646. 22 *Caroli.*

By his Majesty's Command,

Edw. Nicholas.

Pursuant to the aforesaid Resolution of leaving *Oxford*, his Majesty on *Monday, April* 27. (the same Day *Fairfax* came to *Newbury*) about Midnight, did in Disguise go out of that City, in Company only of Dr. *Hudson*, a Divine, and Mr. *John Ashburnham*, and rode as Servant to the latter, with a Cloak-bag behind him: And the more to conceal which Way he intended to take, 'twas said there was Order given, That Three Persons should about the same Hour go out of each of the other Gates of the City. Concerning the Course of this his Majesty's Journey, Dr. *Hudson* being afterwards taken, upon his Examination, declared to this Effect: That they came to *Henley*, *Brentford*, and *Harrow on the Hill*, where he stay'd some Time: From thence he went towards St. *Albans*, and was upon the Road overtaken by a drunken Man well horsed, and riding violently; which put the King and the Two Gentlemen with him into some Apprehensions that they were discovered and pursued: But that Fear being soon over, they turned past St. *Albans* out of the common Road; and the most remarkable Place they stay'd at next, was *Harborough* in *Leicestershire*, where they expected Monsieur *Montril* the *French* Agent, or some Horse from him, to meet them, and conduct his Majesty to the *Scots* Army, as it seems the said Agent had before promised to Dr. *Hudson*; who failing therein, his Majesty went to *Stanford*, where he lay one Night, and from thence passed to *Downham* in *Norfolk*, where he lay from *Thursday, April* 30. to *Monday, May* 4. And in the mean time sent Dr. *Hudson* to the *French* Agent, to know the Reason why he did not meet at *Harborough*, and to advise with him what was now to be done. Here his Majesty going to be Trimm'd, the Barber found much fault with the Unevenness of his Hair (which had been cut, to prevent his being known) and told him, The Barber that last Trimm'd him, was much to blame for it. Upon Dr. *Hudson*'s Return, his Majesty repaired to the *French* Agent, who lay at *Southam*, and thence sent to General *Lewen*, and was conducted by a Troop of Horse to the Lieutenant-General *David Lesley*'s Quarters at *Kellam*, on *Tuesday, May* 5. and Notice thereof was given by the *Scots* to the *English* Commissioners residing with their Army.

King leaves *Oxford, April* 27. 1646.

The King's Journey.

King comes to the *Scots* Army, *May* 5

In the mean time the Design was kept so secret, that those at *Oxford*, tho' they soon knew of his Majesty's being gone, yet could not guess whither he intended his Course; but it was generally reported, that he was gone for *London*; of which the Two Houses having Notice from Sir *Thomas Fairfax*, (who had now drawn up his Army before *Oxford*) they on *Monday, May* 4. caused an Order to be published by Beat of Drum and Sound of Trumpet, throughout *London* and *Westminster*, to this Effect: *Ordered, That it be, and it is hereby declared by the Lords and Commons in Parliament assembled, That what Person soever shall Harbour and Conceal, or know of the Harbouring or Concealing of the King's Person, and shall not reveal it immediately to the Speakers of both Houses, shall be proceeded against as a Traytor to the Commonwealth, forfeit his whole Estate, and dye without Mercy.*

King reported to become to *London*.

Order for discovering the King, *May* 4.

And on this Occasion, whereas there had been appointed a General Training of the City Forces, to be held in *Hide-Park, May* 5. the same was put off by Order of the Houses to another Day. And also they passed the following Ordinance:

Whereas the Lords and Commons in Parliament assembled, by an Ordinance of the 31st of *March* last, for the Reasons therein mentioned, have ordered, That all Papists whatsoever, and all Officers and Soldiers of Fortune, and other Persons that have born Arms against the Parliament, not being under Restraint, should before the End of the 6th Day of *April* last past, depart out of the Cities of *London* and *Westminster*, and Lines of Communication; the said Order to continue for the Space of one Month after the said

Order for Papists and Cavaliers to depart 20 Miles from *London*, *May* 5.

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6th Day of *April*, under divers Penalties, Limitations, and Provisoes in the said Ordinance mentioned, whereunto Relation being had, doth and may appear. And whereas the Lords and Commons do take Notice, That divers Persons, in obedience to the said Ordinance, have departed the said Cities and Lines of Communication, and yet do remain in the Towns and Villages near adjoining, who upon all Attempts that might be made to the Disturbance of the Peace of the said Cities, can soon draw themselves together for Action, and put themselves into a Condition to act any mischievous Design that may be against the said Cities: The said Lords and Commons, for the Safety of the Parliament, and Cities of *London* and *Westminster*, do conceive it most necessary, that farther Care and Provision should be had, to prevent the great Inconveniences that may arise by the Continuance of the said Persons in the said Places, or their present Resort to the said Cities, do ordain and declare, That the said Ordinance, and all and every Clause, Article, and Proviso thereof, shall continue and be in force to all Intents and Purposes, under the Penalties therein mentioned, against all and every such Person and Persons, for the Space of one Month more, from the End and Expiration of the aforesaid Month, as if the said Ordinance had been made to have continued for Two Months from the said 6th Day of *April*. And it is further ordained, That all Persons that have born Arms against the Parliament, and all Papists whatsoever, which went out of the Lines of Communication, in Obedience to the said Ordinance, and all other such Persons, as aforesaid, as have since come from the Enemies Quarters to or near the said Cities, shall by the 12th Day of this Instant *May* depart and remove themselves Twenty Miles at the least, distant from the said Cities and Lines of Communication, under the Penalties mentioned in the said recited Ordinance: And of the Places whither they intended to resort, shall give or send particular Notice, under their Hands in Writing, unto the Committee at *Goldsmiths-Hall*, mentioned in the said recited Ordinance, before the said 12th Day of *May*.

The Two Houses, on the 6th of *May*, received Intelligence of the King's being in the *Scots* Army, by Letters from Col. *Poyntz*, and from their Commissioners before *Newark*: And after a long Debate, the Commons passed these several Votes:

Votes touching the Disposal of the King, *May* 6

That the Commissioners and General of the *Scots* Army be desired, That his Majesty's Person be disposed of as both Houses shall desire and direct.

That his Majesty be thence disposed of, and sent to *Warwick*-Castle.

That Mr. *Ashburnham*, and the rest of those that came with the King into the *Scots* Quarters, should be sent for as Delinquents by the Serjeant at Arms attending the said House, or his Deputy. And that the Commissioners for the Parliament of *England*, residing before *Newark*, should acquaint the *Scots* General with these Votes; and also make a Narrative of the Manner of the King's coming into the *Scots* Army, and present it to the House.

Forces ordered into *Holy-Island*, *May* 7.

The House of Commons being informed, That *Holy-Island* in *Northumberland* was in great Danger, and lay open to an Enemy, if speedily some Forces were not sent thereunto, ordered a Letter to the Committee of that County, to require them forthwith to send some Forces to maintain the said Island, it being of such great Consequence to the *Northern* Parts of this Kingdom.

A Letter from the *Scots* General and Committee of Estates, to the Committee of both Kingdoms, touching the King's coming into their Army, dated *May* 6

Right Honourable,

THE earnest Desire which we have to keep a right Understanding between the Two Kingdoms, moves us to acquaint you with that strange Providence wherewith we are now surprized, together with our Carriage and Desires thereupon. The King came into our Army Yesterday in so private a Way, that after we had made Search for him, upon the Surmises of some Persons who pretended to know his Face, yet we could not find him out in sundry Houses. And we believe your Lordships will think it was Matter of much Astonishment to us, seeing we did not expect he would have come in any Place under our Power. We conceived it not fit to enquire into the Causes that persuaded him to come hither, but to endeavour that his being here might be improved to the best Advantage, for promoting the Work of Uniformity, for

for settling of Religion and Righteousness, and attaining of Peace, according to the League and Covenant, and Treaty, by the Advice of the Parliaments of both Kingdoms, or their Commissioners authorized for that Effect. Trusting to our Integrity, we do persuade ourselves, that none will so far misconstrue us, as that we intended to make use of this seeming Advantage, for promoting any other Ends than are express'd in the Covenant, and have been hitherto pursued by us with no less Conscience than Care. And yet for further Satisfaction, we do ingeniously declare, That there hath been no Treaty nor Capitulation betwixt his Majesty and us, nor any in our Names; and that we leave the Ways and Means of Peace unto the Power and Wisdom of the Parliaments of both Kingdoms. And so far as concerns us, as we have a Witness in Heaven, we are confident to make it appear to the World, That there is nothing more in our Desires, than in all our Resolutions and Proceedings to adhere to the Covenant and Treaty. Our gravest Thoughts shall be taken up in studying, and our utmost Abilities employ'd in acting those Things that may best advance the Publick Good, and Common Happiness of both Kingdoms wherein, by the Help of the most High, we shall labour to use so much Tenderness and Care, that, we hope, it shall soon appear that our Actions have been the Issue and Result of honest and single Intentions. And further, we cannot (in a Matter of so deep Consequence and common Interest) but seek your Lordships Advice; for which Effect we have also written to the Committee of Estates of *Scotland*, with Intentions to move by your joint Councils and Resolutions; that we at last, after a Seed time of many Afflictions, may reap the sweet Fruits of Truth and Peace. And in this Confidence we remain,

Southwell, May 6. 1646. *Your Lordships humble Servants,*

Leven, *Dumferming*, *Lothian*,
Belcarris, S. D. *Hume*, Sir *Th. Carre*,
R. of *Freeland*, W. *Glendowyn*, *John Johnston.*

Immediately, upon the King's coming to the *Scots*, General *Leven* had some Treaty with his Majesty about the Surrender of *Newark*, desiring him to give Order to the Lord *Bellasis*, Governor thereof, to surrender; and his Majesty offered to surrender it to them; but General *Leven* answered, That to remove all Jealousies, it must be yielded to the Parliament of *England*: Whereupon his Majesty was prevailed with, to send Order to the Governor to that Purpose: Which was by Commissioners appointed by each Side, agreed on the following Articles.

Articles for the Surrender of *Newark*, *May* 6, 1646.

Articles agreed and concluded the 6th *of* May, 1646. *between the Commissioners hereunder named, authorized by the Committee of the Parliament of both Kingdoms of* England *and* Scotland, *on the one Part: And the Commissioners hereunder named by the Governor of* Newark, *Lieutenant-General to his Majesty of the Counties of* Nottingham, Lincoln, *and* Rutland, *and Governor of the Town and Castle of* Newark, *of the other Party: Touching the Yielding and Surrendring of that Garrison, and the Castle, Forts, and Sconces thereunto belonging, to the Committee of both Kingdoms, for the Use of the Parliament of* England.

1. THAT the Town and Garrison of *Newark*, with the Castle, Forts, Sconces, Ordnance, Mortar-pieces, Arms, Ammunition, and Provisions, and Necessaries of War (not herein after excepted) be surrendred on *Saturday* next at Ten of the Clock into the Hands of the Committee of both Kingdoms, or whom they shall appoint, for the Use of the Parliament of *England*, without embezling any of them.

2. That the Governor of the said Garrison shall march away with his Servants, Horses, Arms, and proper Goods, to any Garrison he shall name, not besieged or block'd up, or to his own House, there to remain unmolested, submitting to all Ordinances of Parliament. And also that the said Governor shall have Liberty, upon desire, any Time within Three Months, to pass beyond Seas, and to have Passes granted for himself and Servants accordingly.

3. That all Officers in Commission, or that have been formerly in Commission, shall march away with their Horses Arms, and their proper Goods; the

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the Common Soldiers of Horse and Foot, with their Money, Cloaths, and Swords, to any Garrison not besieged or block'd up; or to their own Houses, as they shall make Choice of. And those that have not Money, to have Free Quarter in their March, and not to march above Ten Miles in one Day, unless they please; and to have a Convoy and Carriages provided for the carrying away their Goods; Hostages being given for the Return of the Convoy and Carriages: And such Goods as cannot be removed, the Owners shall have Three Months Liberty to dispose of them.

4. That all such Officers and Gentlemen now in the Garrison, who shall desire to depart this Kingdom, shall, upon Signification thereof to the Commissioners of both Kingdoms any Time in Three Months, have Passes for that Purpose for themselves and Servants; engaging themselves during their stay, to do no Disservice to the Parliament.

5. That all such Officers and Soldiers, as by reason of Sickness, Wounds, or otherwise, are not able to march out at the same Time appointed, shall have Liberty to stay in the Town, or some other convenient Place, 'till they be recovered; and such as are not able to provide Maintenance for themselves, shall have Care taken of them.

6. That all Noblemen and Gentlemen in the said Garrison shall have Liberty to march forth with their Horses and Arms, and their known Menial Servants and Swords, to their own Houses, there to remain unmolested, submitting to all Ordinances of Parliament; and to have Liberty to carry away their own proper Goods, then or at any Time within Three Months; or to have Passes for themselves and Servants to go beyond Sea within Three Months; and in the mean Time to engage themselves to do nothing to the Disservice of the Parliament.

7. That all Clergymen in the Garrison shall have Liberty with their Horses, Servants, and their own proper Goods, to march to any Garrison unblock'd up, or not besieg'd, or to their own Houses, there to remain unmolested, submitting to all Ordinances of Parliament.

8. That the Mayor, Aldermen, and Inhabitants of the said Garrison shall not be molested in their Persons, Privileges, Goods or Estates, (submitting to all Ordinances of Parliament) and to enjoy the same Liberty, and to have the same Protection as all other Towns have, which are in the Power of the Parliament.

9. That the Ladies, Gentlewomen, Wives, Widows, Children and Servants, belonging to any of the Persons mentioned in the former Articles, or any other, shall have Liberty to march forth of the said Garrison, with their Coaches, Horses, and proper Goods, as in the 6th Article: And if any of them, by reason of Sickness, or any other just Reason, cannot march away, then they shall have Liberty to stay there 'till their Recovery, and then to depart unmolested.

10. That all Prisoners now in the said Garrison, Castle, or Forts, or any other Prisoners of War, taken by either Party, since the Siege began, shall forthwith, upon signing these Articles, be set at Liberty, unless they be detained for Criminal Offences charged upon them, not as Soldiers.

11. That all Persons comprised within these Articles, grounded upon the Summons of the 27th of *April*, which began this present Treaty, be recommended to compound with the Parliament for their Estates, as coming in before the 1st of *May*; so as they do effectually prosecute their Compositions within Two Months next ensuing the Date hereof.

12. If any of the Persons above-mentioned shall violate any of these Articles, or any Part of them, they shall lose the Benefit of all the said Articles.

13. That for the Performance of these Articles, Hostages may be mutually given, and a Cessation of Arms continued by both Sides, 'till the Time of Surrender, according to the Articles; and that Guards and Convoys be appointed to protect the Gentry and Soldiers, in their March, from Violence.

Sign'd by us the Commissioners of the Lord Bellasis,

Thomas Ingram, Gilby,
Bryan Palmes, Darsie,
Jarvis Nevil, Atkins,
Robert Sutton, Standish,
Simon Fanshaw, Tho. Bristow Clerk.
Eyre,

Sign'd by us, Authorized by the Commissioners of both Kingdoms,

Alex. Popham, Twisleton,
Franc. Thornhaugh, John Archer,
John Hutchinson, Walter Scot,
Henry Gray, Gilbert Carre,
Rich. Thornton, Arch. Douglass.

The

The Sickness being very hot in the Town, occasioned the Surrender thereof a Day sooner than was agreed upon; so that it was yielded up on *Friday* the 8th of *May*, the Officers and Soldiers marching to their own respective Home, there being scarce any Garrison of the King's unbesieg'd, to which they might resort. There were found in the Town,

Newark surrendred, *May* 8.

One very great Piece of Ordnance, commonly called *Sweetlips*, and 11 other great Pieces of Ordnance, 2 Mortar-pieces, divers Drakes, and small Pieces. Four Thousand Arms, 40 Barrels of Gunpowder, great store of Bullets, Match, and other Ammunition.

The next Day after the Articles of *Newark* were sign'd, the *Scots* Army took their March *Northwards*, his Majesty being with Lieutenant-General *Lesley* in the Van of them; and on *Wednesday*, *May* 13. came into *Newcastle*; a Lane of Musquets and Pikes being, by Order from Sir *James Lunsdale*, the Governor, made from *Gateshead* (the Place where his Majesty entred the Town) all along the Streets to the General's Quarters, where his Majesty took up his Residence.

The *Scots* march *Northwards*, and carry the King with them.

Col. *Poyntz*, with a Party of Horse and Dragoons, followed after into *Yorkshire*.

The *Scots* Commissioners, soon after their rising from *Newark*, sent to the Parliament's Commissioners, to desire a Meeting with them on *Monday* the 11th of *May*, to give them an Account of their so sudden Departure, and their Reasons for not Delivering up Mr. *Ashburnham*, according to the Order of Parliament. But before that Day Mr. *Ashburnham* made his Escape, and so the *Scots* Commissioners did not meet at the said Place appointed: And Dr. *Hudson* endeavouring likewise to escape, was for the present secured in *Newcastle*. And touching that Business, the Committee of Estates, with the *Scots* Army, sent afterwards to the Two Houses the following Paper, by their Commissioners in *London*.

The *Scots* Paper of their not delivering up Col. *Ashburnham* and Dr. *Hudson*, *May* 25.

THE Committee of Estates, with the *Scots* Army, having received a Vote of the Honourable House of Commons, inclosed in a Letter from the Commissioners of both Houses, demanding the Persons of Mr. *John Ashburnham*, and all others that came with the King into the *Scots* Army before *Newark*, to be delivered up; did seriously take into Deliberation how they might return a satisfactory Answer to the Desire of the House of Commons; wherein they found themselves pressed with no small Difficulties, arising from the Consideration of the Vote which did require Mr. *John Ashburnham* and others to be delivered up, upon this Narrative and Reason, That they came into the *Scotish* Army before *Newark* with his Majesty; there being no other Cause of Delinquency made known unto the Committee of Estates, and no more being expressed concerning Mr. *John Ashburnham*, than other Persons who were Guides to his Majesty in his Way thither: It did appear unto them, that they were no more obliged to deliver up Mr. *John Ashburnham*, his Majesty's ordinary Servant, and others, only for their Attending the King to the *Scotish* Army, than the Parliament of *England* should have been obliged in the like Case to deliver up any Subject of *Scotland* for Attending his Majesty, if he had gone into Sir *Tho. Fairfax*'s Army, or come to *London*. And it did very much weigh with their Lordships, That the Delivering up of these Persons merely for their coming with his Majesty into the *Scotish* Army, would import, that they did acknowledge it to be unlawful for themselves to receive his Majesty, coming unexpectedly, without any Invitation, into their Army, sith he could not come without one Servant or other to attend him.

But if Mr. *John Ashburnham*, or any other that came with his Majesty, had been declared by the Parliament to be Incendiaries, Malignants, or evil Instruments, by hindring the Reformation of Religion, dividing the King from his People, or one of the Kingdoms from another, or making any Factions or Parties against the People, contrary to the Solemn League and Covenant, then it was their Resolution, and they were ready therein to give Satisfaction to the Honourable Houses.

Upon these and other Grounds they did desire to confer with the Commissioners of both Houses, to the End they might either give or receive Satisfaction; and accordingly wrote unto them for that Purpose, leaving unto them to appoint the Place of Meeting. It was also considered what should be done

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While they were expecting an Answer from the Commissioners of both Houses, they received Advertisement, That 5000 Horse and Dragoons were upon their March *Northwards* towards them, no Enemy being in those Parts; and that Two Messengers sent from us to them were intercepted and searched. Whereupon they judged it necessary, and did write to the Commissioners of Parliament to delay the intended Meeting 'till the Army should come to a more convenient Place, being unwilling that the Forces of the Two Kingdoms should engage upon a Mistake: And so soon as they came to *Burrowbriggs*, they renewed their Desires to the Commissioners of Parliament for a Conference about this Business, to which the Commissioners by Reason of their other Occasions did not agree.

In all which the Committee of Estates conceive, that they have used their best Endeavours to give Satisfaction to the Desire of the Honourable House of Commons, especially seeing upon the very first Notice they had of Mr. *Ashburnham* and Mr. *Hudson* their Endeavour to escape, they sent forth on all Hands Orders to apprehend them; and such Diligence was used, as Mr. *Hudson* was apprehended, and is now in *Newcastle*, in the Custody of the Deputy-Mayor: And as a Worthy and Noble Lord, the Lord *Balcarras*, lately come hither, hath by Order of the Committee made known to us, his Lordship and all the rest of that Honourable Committee can declare upon their Honour, That directly nor indirectly they were no ways accessary to Mr. *Ashburnham*'s Escape, nor had any Knowledge thereof, whatsoever may be suggested to the contrary, All which being considered, together with the Letters and Papers to be presented this Day to the House, from the Committee of both Kingdoms, we are confident that Honourable House will rest satisfied with their Carriage in this Particular, and with their other Proceedings.

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Soon after this, the King's Letter of the 13th of *April* before recited, to the Marquess of *Ormond*, was by the Marquess communicated to Major-General *Monroe*, the *Scots* Commander in Chief, by a Letter in these Words:

The Marq. of *Ormond*'s Letter to *Monroe*, *May* 21.

SIR,

HAving this Morning received a Dispatch from his Majesty, and Command to impart it not only to his Council, but to his Loyal Subjects; I am confident you have so good a Title to a Knowledge hereof, that I have held it my Part instantly to dispatch it unto you by an Express: And so, Sir, wishing you all Happiness, I rest, *Your Assured Humble Servant*,

Dublin-Castle, *May* 21. 1646. Ormond.

Monroe communicated the same to the Commissioners of Parliament in *Ulster*, who sent Copies of the said Letter, as printed at *Dublin*, over to the Two Houses by Sir *Robert King*, one of the said Commissioners; and the same was read in the House of Commons on *Saturday*, *June* 9. whereupon, on the *Monday* following, the Commissioners of the Parliament of *Scotland*, residing at *Westminster*, delivered in the following Letter or Declaration to the House of Peers.

The *Scots* Commissioners Declaration, *June* 8, 1646, touching the King's Letter of the 13th of *April* to the Marq. of *Ormond*.

For the Right Honourable the Speaker of the House of Peers pro Tempore.

Right Honourable,

THis inclosed Paper having very lately come to our Hands, which altho' it hath not so much as colour enough to deceive, yet nevertheless as General-Major *Monroe*, in Testimony of his Integrity, did communicate the Thing to

to the Commissioners of Parliament in *Ulster*; so we, for preventing Mistakes, (many Copies of the same Thing being spread among the People) have thought good to communicate the same to the Honourable Houses, with our Sense upon it, that by their Wisdom and reciprocal Care, a right Understanding in all Things may still be preserved between the Kingdoms. Whether any such Letter was signed by the King at *Oxford*, or whether it was invented of purpose to support a declining Party, we do not know: What may concern the King in it, we leave to himself, who as he hath since the Date of that Paper expressed contrary Intentions and Resolutions in his Messages to both Kingdoms, so he can best tell what he wrote at that Time; we are only to speak to the Matter of the Paper, which cometh from the Hand of Secretary *Nicholas*; unto whose Informations, what Credit ought to be given, the Houses very well know. It doth consist in our perfect Knowledge (and we declare it with as much Confidence as ever we did or can do any Thing), That the Matter of the Paper, so far as concerneth any Assurance or Capitulation for joining of Forces, or for combining against the Houses of Parliament, or any other private or publick Agreement whatsoever, between the King upon the one Part, and the Kingdom of *Scotland*, their Army, or any in their Name, and having Power from them, upon the other Part, is a most damnable Untruth. We shall not need to express how improbable it is, if there had been any such Agreement, that the King about the same Time should have sent a Message to both Houses, offering to come to *London*, and to follow their Advice in all things, without offering any Satisfaction to the Kingdom of *Scotland:* And that before he received the Answer of the Houses, he should write such a Letter to *Ireland*, and give Order to make it known, not only to his Privy-Council, but to his other Subjects of that Kingdom. Nor will we insist how improbable it is, that the King should make this known to the Marquess of *Ormond*, and neglect to acquaint the late Earl of *Montross*, who had been much more concerned, and who would, no doubt, if he had known any such Thing, have communicated the same to General Major *Midleton*, and prevented the Defeating of himself, his Associates and Forces, about the middle of *May*, after the King was with the *Scottish* Army. Nor how unlikely it is, that he who is for the Time Commander in Chief for the *Scottish* Forces in *Ireland*, should be for the Space of Seven or Eight Weeks totally ignorant of any such Agreement; or if he had known any such thing, that he would have communicated it to the Commissioners of the Parliament, and immediately marched himself to the Fields against the Enemy. Nor shall we need to call to mind the Expressions in the Lord *Digby*'s intercepted Letters, which gave our Nation the Character of such as could not to be gained to that Side, no, not after all Applications used. There are other more sure and more publick Testimonies, since the Date of that lying Paper, which makes the Falshood of it more than palpable, as if Divine Providence had purposely ordered all the late Actions of the Kingdom of *Scotland*, and of their Forces, both before and since the Third of *April*, to be so many real Confutations of that groundless Invention: We mean, several late Fights with the Rebels under the late Earl of *Montross*, and *Allaster Mac Donald*; the Delivery of *Newark*, the Restraining and Debarring of Delinquents and Malignants from the King's Person, and from our Army, the late publick Declarations of the Church and State of *Scotland* in the Beginning of *April*, as likewise of the General and Committee with the Army, agreed upon about the End of *April*, and published the 15th of *May* in *Scotland*, against a Band of the Earl of *Seaforth* and his Associates; as for other Reasons, so especially for this, that the said Band did tend to the Weakning of the Confidence and Union between the Two Kingdoms, firmly joined and mutually engaged for Assistance to each other in this Cause, as may appear more fully by the Declaration herewith presented. Nor can we pass the Paper delivered to the King by the Committee of Estates upon the 15th of *May* last, That if his Majesty should delay to go about the readiest Ways and Means to satisfy both his Kingdoms, they would be necessitated, for their own Exoneration, to acquaint the Committee of both Kingdoms at *London*, that a Course might be taken by joint Advice of both Kingdoms, for attaining the just Ends expressed in the Solemn League and Covenant. We shall say no more of this Particular, God hath his own Time to make manifest who have dealt sincerely, and who falsly; and as our Nation

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did refuse to join with the Enemy's Forces when they were strongest, and did join with our Brethren of *England* in their weakest and most necessitous Condition; so we shall never look for a Blessing from God upon either Nation, longer than they continue faithful to God and to each other, according to the Covenant and Treaty. And we do confidently expect from the Wisdom and Justice of the Honourable Houses, that this and such like Papers shall find no more Credit here, than Papers and Declarations against themselves did formerly find in *Scotland*; and that Declarations and publick Papers from the Kingdom of *Scotland*, or their Committees or Commissioners, shall have such Acceptation with both Houses, as they desire Declarations from themselves, or Papers from any in their Name, may have with their Brethren of *Scotland*. Nor do we doubt but God will dissipated all these Clouds of Calumnies and Misunderstandings endeavoured thereby, and will give such a Frame of Spirit to both Nations, as may continue them in a brotherly Accord, and mutual Confidence, for the Good both of this and of the succeeding Generations, which hath been, is, and shall be most earnestly wished, and faithfully endeavoured by

Your very Affectionate Friends, and Humble Servants,

Worcester-House the 8th of *June*, 1646.

Lauderdale, *Hen. Kennedy*,
Johnston, *Robert Barclay.*
Charles Erskine,

We have sent your Lordships here inclosed an Order of the Committee of Estates at the Army, which will evidence their Care to remove out of that Army, all such against whom any just Complaints have been made by the Country.

But before this, his Majesty sent the following Messages.

His Majesty's Message to the Two Houses, after his coming to the *Scots* Army, *May* 18.

Charles R.

HIS Majesty having understood from both his Houses of Parliament, That it was not safe for him to come to *London* (whither he had purposed to repair, if so he might, by their Advice, to do whatsoever may be best for the Good and Peace of both Kingdoms) until he shall first give his Consent to such Propositions as were to be presented to him from them; and being certainly informed, that the Armies were marching so fast up to *Oxford*, as made that no fit Place for Treating, did resolve to withdraw himself hither, only to secure his own Person, and with no Intention to continue this War any longer, or to make any Division between his Two Kingdoms; but to give such Contentment to both, as (by the Blessing of God) he might see a happy and well-grounded Peace, thereby to bring Prosperity to these Kingdoms, answerable to the best Times of his Progenitors.

And since the settling of Religion ought to be the chiefest Care of all Counsels, his Majesty most earnestly and heartily recommends to his Two Houses of Parliament, all the Ways and Means possible for speedy finishing this pious and necessary Work; and particularly that they take the Advice of the Divines of both Kingdoms, assembled at *Westminster*.

Likewise concerning the Militia of *England*, for securing his People against all Pretensions of Danger, his Majesty is pleased to have it settled as was offered at the Treaty at *Uxbridge*; all the Persons being to be named for that Trust by the Two Houses of the Parliament of *England* for the Space of Seven Years; and after the Expiration of that Term, that it be regulated, as shall be agreed upon by his Majesty and his Two Houses of Parliament. And the like for the Kingdom of *Scotland*.

Concerning the Wars in *Ireland*, his Majesty will do whatsoever is possible for him, to give full Satisfaction therein.

And if these be not Satisfactory, his Majesty then desires that all such of the Propositions as are already agreed upon by both Kingdoms, may be speedily sent unto him; his Majesty being resolved to comply with his Parliament in every thing that shall be for the Happiness of his Subjects, and for the removing of all unhappy Differences, which have produced so many sad Effects.

His Majesty having made these Offers, he will neither question the thankful Acceptation of them; nor doth he doubt but that his Two Kingdoms will

will be careful to maintain him in his Honour, and in his just and lawful Rights, which is the only way to make a happy Composure of these unnatural Divisions: And likewise will think upon a solid way of conserving the Peace between the Two Kingdoms for time to come; and will take a speedy Course for easing and quieting his afflicted People, by satisfying the Publick Debts, by disbanding of all Armies, and whatsoever shall be judged conducible to that End; that so all Hindrances being removed, he may return to his Parliament with mutual Comfort. *22 Caroli.*

Southwell, May 18. 1646.

Postscript.

His Majesty being desirous to shun the farther Effusion of Blood, and to evidence his real Intentions to Peace, is willing that his Forces in and about *Oxford* be disbanded, and the Fortifications of the City dismantled, they receiving Honourable Conditions; which being granted to the Town and Forces there, his Majesty will give the like Order to the rest of the Garrisons.

The King's Letter to the City of *London* from *Newcastle, May* 19.

Charles R.

RIght Trusty and Well-beloved, we greet you well. Having expressed our Resolution to the Two Houses of our Parliament of *Scotland*, to give all just Satisfaction to the joint Desires of both Kingdoms, we have now likewise thought fit to assure the Two Chief Cities of both our Kingdoms, That nothing is more grievous to us than the Trouble and Distractions of our People; and that nothing on Earth is more desired by us, than that in Religion and Peace, with all the comfortable Fruits of both, they may henceforth live under us in all Godliness and Honesty. And this Profession we make for no other End, but that you may know immediately from ourselves our Integrity and full Resolution to comply with our Parliaments in every thing for settling Truth and Peace, and our desire to have all Things speedily concluded, which shall be found requisite for that End: That our Return to that our ancient City may be to the Satisfaction of our Parliament, the good Liking of you and all our good People, and to our own greater Joy and Comfort. We bid you heartily farewell.

From Newcastle, *the* 19th *of* May, 1646.

To our Right Trusty and Well-beloved, the Lord-Mayor, Aldermen, and Common-Council of our City of London.

The King's Message to both Houses from *Newcastle, June* 10. 1646.

Charles R.

HIS Majesty looking with Grief of Heart upon the sad Sufferings of his People in his Three Kingdoms for some Years past, and being afflicted with their Distresses, and unquiet Condition, through the Distractions about Religion, the keeping of Forces on foot in the Field and Garrisons, the not Satisfying of Publick Debts, and the Fears of the farther Effusion of Blood by the continuance of an unnatural War in any of these Kingdoms, or by rending and dividing these Kingdoms, so happily united; and having sent a gracious Message unto both Houses of Parliament, and the Commissioners of the Parliament of *Scotland*, expressing the necessary Causes of his coming from *Oxford* unto the *Scotish* Army (without any Intention to make a Division) where he is in Freedom and right Capacity to settle a true Peace, and containing such Offers as he conceived would have been accepted, with a general Clause of complying with their Desires: And being impatient of Delays, and not acquainted with the Particulars which may give Contentment to them, his Majesty doth earnestly desire, that the Propositions of Peace so often promised, and so much expected, may be speedily sent unto him; that upon Consideration of them, he may apply himself to give such Satisfaction as may be the Foundation of a firm Peace. And for the better and more speedy attaining thereunto, his Majesty doth further propound, That he may come to *London* with Safety, Freedom, and Honour, where he resolves to comply with his Houses of Parliament in every thing which may be most for the Good of his Subjects, and perfect what remains for settling both Kingdoms and People in an happy Condition; being likewise most confident, that they according to

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their reiterated Declarations, and ſolemn Proteſtations, will be zealous in the Maintenance of his Honour, and juſt and lawful Rights. And as his Majeſty deſires the Houſes of Parliament to disburden the Kingdom of all Forces and Garriſons in their Power, except ſuch as before theſe unhappy Times have been maintained for the neceſſary Defence and Safety of this Kingdom; ſo he is willing forthwith to disband all his Forces and Garriſons within the ſame, as the incloſed Order herewith ſent will evidence. And if upon theſe Offers his Majeſty ſhall have ſuch Satisfaction, as he may be confident a firm Peace ſhall enſue thereon, his Majeſty will then give Order for his Son the Prince his preſent Return.

Newcaſtle, the 10th of *June*, 1646.

His Majeſty's Warrant to Sir *Tho. Glenham*, &c. to Surrender their Garriſons, *June* 10, 1646.

To our Truſty and Well-beloved, Sir Tho. Glenham, *Sir* Tho. Tildeſley, *Col.* H. Waſhington, *Col.* Tho. Blagge, *Governors of our Cities and Towns of* Oxford, Litchfield, Worceſter, *and* Wallingford, *and all other Commanders of any Towns, Caſtles, and Forts, in our Kingdom of* England.

Charles R.

HAving reſolved to comply with the Deſires of our Parliament in every thing which may be for the Good of our Subjects, and leave no Means uneſſay'd for removing all Differences amongſt us: Therefore we have thought fit, the more to evidence the Reality of our Intentions of ſettling an happy and firm Peace, to require you, upon Honourable Terms, to quit thoſe Towns, Caſtles, and Forts intruſted to you by us, and to disband all the Forces under your ſeveral Commands.

Newcaſtle, the 10th of *June*, 1646.

CHAP. IX.

Of the Surrender of Oxford, Worceſter, Wallingford-*Caſtle*, Raglan, *and* Pendennis-*Caſtle*.

WHilſt the *Scots* are at eaſe, quartering on the *Northern* Counties, (whence lamentable Complaints daily arrived of the Grievances the poor Inhabitants ſuffered by them) and whilſt his Majeſty is under their Power, reſiding at *Newcaſtle*, let us look back to the Proceedings of *Fairfax* and his Army in other Parts of the Kingdom.

Fairfax before *Oxford*, *May* 1, 1646.

On the Firſt of *May*, 1646. being that Day Twelvemonth that the new-model'd Army firſt took the Field, General *Fairfax* came the ſecond Time before *Oxford*, wherein were Prince *Rupert*, Prince *Maurice*, and many of the Prime Nobility and Gentry of *England*. The Foot were drawn to a Rendezvous between *Abington* and *Garſington*, where Major-General *Skippon*, who had lain ill of his Wounds ever ſince the Battel at *Naſeby*, being now well recovered, came to the Army, and was received with great Acclamations of the Soldiers.

The next Day was a General Rendezvouz, both Horſe and Foot, and thence the Forces were diſtributed to their ſeveral Quarters at *Hedington*, *Marſton*, and the Towns thereabouts.

The General Surveys *Oxford*, and conſiders its Strength.

The 3d of *May* the General, with the Officers of the Army, took a Survey of *Oxford*, which they found to have received many material Alterations and Additions of Advantage, ſince their laſt being before it: And though it was always juſtly accounted a Place of great Strength, yet now it was made incomparably more ſtrong than ever: (Which is very eaſy to be believ'd) if you do but conſider it had been from the Beginning of the Wars, the King's Head Quarters and Garriſon, his chief Place of Reſidence and Retreat, where his Council, and moſt of the Nobility, that had left the Parliament, attended him. Its Place, being almoſt in the Center of the Kingdom, gave it no ſmall Advantage for the ſending out of Parties upon any Deſign: Beſides, that it was ſurrounded about with many ſmall Garriſons of the King's, as *Radcoat*, *Faring-*

ton, *Wallingford*, *Sherborn*-House, *Borstal*, (which were as so many Outworks unto it.) The Situation of it, in reference to the Ground it stood upon, rendred it very apt for Defence, being placed betwixt the two Rivers *Isis* and *Charwell.* Upon the *West* Side of it ran several Branches of the River *Isis*, some of which running close by the Town-Walls, was a great Defence to it: Upon the *East* Side ran the River *Charwell*, which by making Locks at *Clement's* Bridge, they had caused to overflow the Meadows, so that round the City, to the extent of three Parts of it (all, except the *North* Side, that was somewhat higher Ground) was surrounded with Water, and absolutely unapproachable: To this the Line about the City (newly finsh'd) they found to be very high, having many strong Bulwarks so regularly flanking one another, that nothing could be more exactly done; round about the *Line*, both upon the *Bulwarks* and the *Curtain*, was strongly set with *Storm-Pales*; upon the Outside of the Ditch, round the Line it was strongly *Pallisadoed*; and without that again, were digged several *Pits* in the Ground, that a single Footman could not, without difficulty, approach the Brim of the Ditch. Within the Town there was Five Thousand good Foot, most of them of the King's old Infantry, which served him from the Beginning of the Wars; and withal, they were well stored with a plentiful Magazine of Victuals, Ammunition, and Provisions for War; in a Word, whatever Art or Industry could do to make a Place impregnable, was very liberally bestowed here. All which Strength being apprehended and considered by General *Fairfax*, he concluded that this was no Place to be taken *at a running Pull*, but likely rather to prove a Business of Time, Hazard, and Industry. Whereupon at a Council of War at *Hedington*, it was resolved to fix his Quarters: The first Quarter to be upon *Hedington*-Hill, where was ordered to be made a very large and great Work or Intrenchment, of Capacity to receive and lodg 3000 Men: As also, that a Bridge should be laid over the River *Charwell*, close by *Marston*, that another Quarter might be gone in Hand withal between the Rivers, wherein it was intended most of the Foot should be lodged, that being all the Ground they had to approach on. Warrants were sent out unto the Country round about, for *Spades*, *Pickaxes*, &c. for that Purpose. As also a Letter to the Committee for the Army, to hasten more Ammunition, with all Requisites for the Siege, as *Tents* for Soldiers, *&c.* from *London*; which was no sooner come from thence, but the great Work upon *Hedington*-Hill was instantly fallen in Hand withal, and finished in three or four Days Time, the Soldiers being paid so much by the Rod for working thereat: This Work was committed to Major-General *Skippon*. In the mean Time the Bridge intended was made over the River *Charwell*, near *Marston*, where another Quarter was possessed, and a *Line* drawn from *Isis* to *Charwell*, and a great Work made on that Side the Water: Col. *Rainsborough* commanded this Work. There was a Third, under the Command of Col. *Lambert*; the Fourth, of Col. *Herbert*; and a Line was begun to be drawn from the great Fort on *Hedington*-Hill, over-against St. *Clements*.

22 Caroli.

The Management and Carrying on of these Works, Lines and Approaches, was recommended to the Care and Skill of Major-General *Skippon*.

By the Intelligence of divers, that came out of the City, *Fairfax* was further satisfied and confirmed concerning their great Strength within, and Provision for to hold out.

Fairfax prepares for the Siege of *Oxford.*

As soon as the several Posts were assigned to the Army before *Oxford*, several Forces were taken forth and designed for the Blocking up of other Garrisons; *viz.* Some for *Faringdon*, under the Command of Col. Sir *Robert Pye*: Others for *Radcot*, under the Command of Col. *Cook*; and others for *Wallingford*, under the Command of Col. *Paine* and Col. *Berkestend*, on *Berkshire* Side; and Col. *Temple* on *Oxfordshire* Side; others for *Borstal*-House; and as many Horse as could be spar'd, were sent towards *Worcester* for the straitning of that Garrison, 'till such Time as the Army were at Liberty to advance thither: An Account of all which severally shall be given in due Place.

But first an Account of the Surrender of *Banbury*-Castle, comes next to be given in.

The taking of *Banbury.*

Banbury, a great and fair Market-Town, had from the Beginning of the Troubles been in the King's Possession, without almost any Intermission; which happen'd to it partly through the Commodiousness of its Situation, as lying

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lying but Eighteen Miles *North* from *Oxford*, and in ſuch a convenient Place as gave it a Command into divers other Counties, *viz. Northamptonſhire, Warwickſhire*, &c. from out of which it gathered large Contributions for *Oxford*.

The Forces now employed in the Reducing that Place, were about 1000 Foot, and ſome Four Troops of Horſe, all under the Command of Col. *Whaley*: They lay Eleven Weeks before the Caſtle: So, as ſoon as they came before it, they intrench'd themſelves by a Line drawn round the Town, for their better Security from any Force without; which done, they ſapt up towards the Caſtle, ran ſeveral Galleries over the outmoſt Moat, and ſo wrought into the Works belonging to the Caſtle; who countermining them, ſprang one Mine upon them, but did no great Hurt; and alſo flinging down Stones upon them, and Hand-Granadoes amongſt them, bravely repulſed them. Yet they wrought ſo far, as put them out of all Hopes of keeping the Caſtle; which conſtrained them to a Parley, and Surrender of the Caſtle, Arms, and Ordnance, Ammunition and Victuals, upon theſe enſuing Articles; *viz.*

Articles for the Surrender of *Banbury, May* 6. 1646.

1. THE Governor, Sir *William Compton*, and Sir *Charles Compton*, his Brother, to march forth with one Horſe and Arms apiece, two Servants attending them, and to have Two Months Liberty to go beyond Sea.

2. All Captains to march forth with one Horſe apiece and their Swords.

3. All the reſt to march forth without Arms, to be disbanded a Mile from the Town; to have Paſſes to march to their ſeveral Homes, or to go beyond Sea; and to have Free Quarter, marching Ten Miles a Day.

4. All, both Officers and Soldiers, to leave half their Moneys behind them.

There were found in the Caſtle Eleven Pieces of Ordnance, Eleven Barrels of Powder, and Four Hundred Arms.

But to return to *Oxford*: The Four Quarters being ſettled under Cannon-ſhot, and a Line begun to be drawn from the great Fort on *Hedington*-Hill, round St. *Clements*, (lying without *Magdalen*-Bridge) *Fairfax* ſent in a Summons to Sir *Tho. Glenham* the Governor, requiring the Surrender of that Garriſon. The Copy thereof followeth:

SIR,

I Do by Theſe ſummons you to deliver up the City of *Oxford* into my Hands, for the Uſe of the Parliament. I very much deſire the Preſervation of that Place (ſo famous for Learning) from Ruin; which inevitably is like to fall upon it, except you concur. You may have Honourable Terms for yourſelf and all within the Garriſon, if you ſeaſonably accept thereof. I deſire your Anſwer this Day, and remain, *Your Servant*,

May 11. 1646. Tho. Fairfax.

The ſame Day alſo he ſent a Summons to the Governor of *Borſtal*-Houſe, to the ſame Effect for the Subſtance. The Copy whereof followeth;

SIR,

I Do by Theſe ſummons you to deliver up the Garriſon of *Borſtall*-Houſe into my Hands, for the Uſe of the Parliament. You may have Honourable Terms for yourſelf and all within your Garriſon, if you ſeaſonably accept thereof. I deſire your Anſwer this Day.

May 11. 1646. Tho. Fairfax.

As alſo the like to *Radcoat*. And the ſame to *Wallingford*.

Sir *Tho. Glenham*, Governor of *Oxford*, returned Anſwer to the Summons the ſame Day, as followeth:

SIR,

I Have received your Letter, ſummoning me to Surrender the City, which was given me in Truſt for his Majeſty's Uſe; but in reſpect there are many Perſons of Eminency, I muſt deſire you to receive for Anſwer a Requeſt, That you will be pleaſed to ſend a ſafe Conduct for Sir *John Mounſon*, and Mr. *Philip Warwick*, to repair unto you at ſuch a Time and Place as you ſhall appoint, by whom you ſhall underſtand what for the preſent is deſired. I remain,

May 11. 1646. *Your Humble Servant*, Tho. Glenham.

According as was desired, Passes were granted for Sir *John Mounson*, and Mr. *Philip Warwick*, to come out of *Oxford* that Day, and meet *Fairfax*'s Commissioners, Col. *Rainsborough*, Col. *Harlow*, and Col. *Lambert*, who were ready to receive them at the Time and Place appointed. That which they had in Commission, was a Desire from the Governor Sir *Tho. Glenham*, of Liberty to send to the King to know his Pleasure; upon Signification whereof from his Majesty, they would return a positive Answer to his Excellency immediately. 22 Caroli.

Fairfax's Commissioners endeavoured to persuade them the Vanity of any such Desire, and the General's Impatiency of any such Delay; advising them rather to take the present Opportunity, lest they afterwards fell short of those Terms they might now have by present Compliance.

Whereupon Sir *John Mounson* and Mr. *Warwick* returning to *Oxford*, took Time 'till the Morrow, promising more then. One of the General's Trumpeters was appointed to go with them into *Oxford*, to bring their Answer the next Morning.

On *Tuesday*, *May* 12. the Trumpeter returned with a Desire from Sir *Tho. Glenham*, that in regard there were, besides the Duke of *York*, and the Two Princes, many other Persons of Eminency, Lords, Knights, and Parliament-men, and other Gentry and Clergy, besides the Inhabitans, all concerned in the Business, (to whom Things could not possibly be represented fully in so short a Time) that further Time might be granted.

The same Day Prince *Rupert*, and with him near an Hundred Horse, went forth of *Oxford* on Col. *Rainsborough*'s Side, to take the Air; Prince *Rupert* riding without Boots, only in his Shooes and Stockings. A Party of the Besiegers marched up towards them, and fired upon them; in which Skirmish Prince *Rupert* had a Shot in the Right Shoulder (but pierced no Bone) whereupon they retreated to *Oxford*: Which was the more taken Notice of, because such an Accident had been by *Lilly* the Astrologer foretold in Print, likely about that Time to befal his Highness.

On *Thursday* 14. the Governor of *Oxford* sent to make known his Desire to Treat by Commissioners, which was accepted of; and a Council of War being call'd, it was concluded that Mr. *Crook*'s House at *Marston* should be the Place, and on *Monday* following the Treaty to begin.

May 15. The Besiegers made another Sally and kill'd some of the Enemy.

Lord's Day, *May* 17. The Governor of *Oxford* sent forth the Names of the Commissioners for Treaty on his Behalf, desiring *Fairfax* to return the like Number.

The Names of both were,

Commissioners to Treat about the Surrender of *Oxford*.

On Sir Tho. Glenham's *Part*,		On his Excellency Sir Tho. Fairfax's *Part*,	
Sir *John Mounson*,	Col. *Tyllier*,	L. Gen. *Hamond*,	Major *Desborough*,
Sir *John Heydon*,	Dr. *Zouch*,	Col. *Ireton*,	Major *Harrison*,
Sir *Tho. Gardner*,	*Tho. Chisley*, Esq;	Col. *Lambert*,	Mr. *Herbert*,
Sir *Geo. Binion*,	Mr. *John Dutton*,	Col. *Rich*,	Mr. *Waller*,
Sir *Rich. Willis*,	Mr. *Jeffrey Palmer*,	Col. *Harley*,	*Four more to be named afterwards.*
Sir *Ste. Hawkins*,	Mr. *Phil. Warwick*,	Scoutmaster Gen. *Watson*,	
Col. *Gosnold*,	Capt. *Robert Mead*,		

Upon the Receit of the Names of the *Oxford* Commissioners, Sir *Geo. Binion* was excepted, as being exempted from Pardon by the Parliament's Propositions.

A Treaty being resolved and accepted on both Sides, and to begin *Monday* the 18th, Sir *Tho. Glenham* sent to the General, desiring, That in regard it was usual at all Treaties to have a Secretary on each Part, that Mr. *H. Davison*, his Secretary, might have a Pass to come forth with their Commissioners, which was assented unto, and Mr. *William Clark* was appointed to assist the Commissioners on *Fairfax*'s Part. The Commissioners on the Behalf of the Governor and Garrison of *Oxford*, made their Demands; which *Fairfax* sent up to the Parliament by Col. *Rich*, and Scoutmaster-General *Watson*, Two of the Commissioners for the Treaty on his Excellency Sir *Tho. Fairfax*'s Part; putting off the Treaty 'till the Pleasure of the Parliament was known concerning them. The Heads of some of the Principal of them were these; *viz.*

Demands of the Garrison.

1. To have Liberty to send to the King, to know his Majesty's Pleasure, whether they shall Surrender or not.

2. That Prince *Rupert* and Prince *Maurice* have Protection to remain in any Part

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Part of this Kingdom; to have no Oath imposed on them; to be at Liberty to do as shall seem good unto them at any Time hereafter.

3. The Governor, and all Officers and Soldiers, to march out in as full Equipage as any since these Wars; with Six Guns, Ten Barrels of Powder, and to have Thirty Days Time to know the King's Pleasure how he will dispose of them.

4. The Privy-Seal and Great Seal to go to the King; and such as these.

The House of Commons, upon reading of them, conceived them so high, that they thought not fit so much as to debate them, but referred it to the General, in what Way he thought fit to prosecute the Reducing of that Place.

About *May* 24. was *Radcoat*-House surrendred, after it had endured great Extremity by Granadoes; one whereof falling upon the Top of a Tower, made fearful work, tearing it into a Thousand Pieces, and sending it several Ways; and at last falling into the Cellar, let out all their Beer. There were an Hundred Men in it, who were to go to their several Homes, leaving their Arms behind them.

General *Fairfax*, upon the aforementioned Return from the Parliament, prepared Propositions to offer to the Garrison, and sent them into *Oxford* on *Saturday*, *May* 30. Whereupon the Treaty was renewed again; they submitting therein (as themselves said) to the Fate of the Kingdom, rather than any way distrusting their own Strength, or the Garrison's Tenableness.

Letters intercepted, going to the King.

During this Treaty, a Captain of the Garrison of *Oxford* was taken, (in a Fisherman's Habit) carrying Letters to the King from Sir *Tho. Glenham* and Secretary *Nicholas*, relating the Condition of the Garrison, and how long probably they could hold out.

A few Days before the Treaty ended, when the Besieged perceived it was like to succeed, they play'd with their Cannon Day and Night into our Leaguers and Quarters, discharging sometimes near 200 Shots in a Day at random, as was conceived, rather to spend their Powder, than to do any great Execution; tho' they shewed great Skill, in that they levelled their Pieces so, as that they shot into the Leaguer on *Hedington*-Hill (and on that Side Lieutenant-Col. *Cotsworth* was slain with a great Shot), and likewise into the Leaguer on Col. *Rainsborough*'s Side, where they kill'd with their Shot a Sutler and others in their Tents. On the other Side, the Cannon in recompence play'd fiercely upon the Town, and much annoy'd them in their Works and Colleges, 'till at last a Cessation of great Shot was agreed to on both Sides.

A Cessation agreed on.

Articles for Surrender of *Oxford*, *Anno* 1646. *June* 20.

Articles of Agreement concluded and agreed, June *the* 20th, *by the Right Honourable Sir* Richard Lane, *Knt. Lord Keeper of the Great Seal of* England, Francis *Lord* Cottington, *Lord High Treasurer of* England, William *Marquess of* Hertford, Edward *Earl of* Dorset, *Lord Chamberlain of his Majesty's Honourable Houshold*, Thomas *Earl of* Southampton, Francis *Earl of* Chichester, Francis *Lord* Seymour, *Sir* Edward Nicholas, *Knt. one of his Majesty's Principal Secretaries of State, all of them being of his Majesty's most Honourable Privy Council; and Sir* Thomas Glenham, *Knt. and Governor of* Oxford, *on the one Party: And his Excellency Sir* Thomas Fairfax, *Knt. General of the Forces raised for the Parliament, on the other Party: For and concerning the Rendring of the Garrison of* Oxford: *As followeth*;

1. THAT the Garrison of *Oxford*, with the Castle, Forts, Mounts, and Places of Defence whatsoever, with all the Ordnance, Arms, Ammunition and Provisions of War, with all Magazines and Stores thereunto belonging, except what is allowed in the ensuing Articles, shall be delivered to the General, Sir *Tho. Fairfax*, or whom he shall appoint, without wilful Spoil or Imbezzlement, upon *Wednesday* the 24th of this Instant *June*, 1646. at Ten of the Clock in the Morning, or thereabouts.

2. That his Highness the Duke of *York* shall have an Honourable Convoy to *London*, where other of his Majesty's Children are, attended by his Officers and Servants, and fitting Accommodation for the Removal of his Houshold and Goods thither, and shall have an Honourable Provision, befitting his Dignity, appointed for him by the Parliament, and to remain there until his Majesty's Pleasure be known touching his settling there, or elsewhere; and then to be

be disposed accordingly to any Place within Fourscore Miles of *London*, and shall have such Officers and Servants to continue about him, as the Parliament shall approve. 22 *Caroli.*

3. That their Highnesses Prince *Rupert* and Prince *Maurice* shall have Liberty and Passes for themselves, with their Servants, Horses, Arms, and Goods, (the Number of their Horses for them and their Train not exceeding 70,) to repair to any Place within 50 Miles of *London*, so it be not within 20 Miles of *London*, without Leave of the Parliament, nor in any Garrison, and there to abide for the Space of six Months after the Rendring, free from any Molestation by Imposition of Oaths, or otherwise; and shall have Passes to go beyond the Seas at any time within the said six Months, with their said Servants, Horses, Arms, and Goods; they engaging themselves upon their Honours not to use the Liberty hereby granted in the mean time to any Hostility against the Parliament of *England* sitting at *Westminster*, or any way wilfully to the Prejudice of their Affairs. And they are to have the Benefit of such the ensuing Articles as may concern them.

4. That the Seals, called the *Great Seal*, *Privy Seal*, *Signet*, and the *Seals* of the *King's Bench*, *Exchequer*, *Court of Wards*, *Dutchy*, *Admiralty*, and *Prerogative*, as also the *Sword of State*, shall at such Time, and in the Presence of Two such Persons as the General Sir *Tho. Fairfax* shall appoint, be lock'd up in a Chest, and left in the Publick Library. And if any of the aforenamed Particulars shall not be then accordingly produced, the Default thereof shall not be charged upon any other Person than such as hath the Custody thereof, and shall wilfully detain or imbezzle the same.

5. That Sir *Tho. Glenham*, Knt. Governor of *Oxford*, with his Servants, and all that to him belong, and all Officers and Soldiers of Horse and Foot, and of the Train of Artillery (as well Reformed Officers and Soldiers, as others) with their Servants, and all that pertain unto them, shall march out of *Oxon* with their Horses and compleat Arms, that properly belong unto them, proportionable to their present or past Commands, flying Colours, Trumpets sounding, Drums beating, Matches lighted at both Ends, Bullet in their Mouths, and every Soldier to have Twelve Charges of Powder, Match and Bullet proportionable, and with Bag and Baggage, to any Place within Fifteen Miles of *Oxford*, which the Governor shall chuse; where such of the Common Soldiers as desire to go to their own Home, or Friends, shall lay down their Arms, which shall be delivered up to such as the General, Sir *Tho. Fairfax* shall appoint to receive them. And all Officers and Soldiers, as well Reformed as others, that shall desire to go to their Homes or Friends, shall have the General's Pass and Protection for their peaceable Repair to, and Abode at the Places where they shall desire to go to; and shall have free Quarter allowed them in their March from *Oxon* to those several Places. And the Officers, as well Reformed as others, to pass with Equipage of Horses and compleat Arms, answerable to their present or past Commands: And Common Troopers with their Horses and Swords only, and all to pass with Bag and Baggage, as aforesaid. And that all other Officers and Soldiers (in Case there be any such) that shall desire to take Entertainment from any Foreign Kingdom or State, shall have Free Quarter allowed them for 28 Days, from their March out of *Oxon*, and shall have Passes for their Officers (not exceeding Ten) with their Horses and Two Servants apiece, to go to *London*, to treat with any Foreign Ambassador or Agent for Entertainment; and all of them shall have Liberty and Passes to march (the Officers with their compleat Arms and Horses, proportionable to their present or past Commands, and the Common Soldiers with their Arms, and all with Bag and Baggage) to the Quarters near to *Harwich*, or *Portsmouth*, or to any Port between them, to be transported; which Arms (except Officers compleat Arms, Horses, and Swords for the Common Soldiers, which they may transport) they shall there lay down, and deliver to such as the General shall appoint, or unto the Governor of the next Garrison belonging to the Parliament, who shall take care for their Safety during their abode there, and until Shipping can be provided, and Weather seasonable; they paying for their Quarters after the said 28 Days expired; and shall assist them for procuring Vessels and Ships for their Transportation, at the usual Rate, and accustomed for Freight; the Officers, Soldiers, and others, before

Ann. 1646. Transportation, engaging themselves by Promise not to return into this Kingdom in Hostility against the Parliament, in Bodies as they go, or in conjunction with other Forces, or in Command of any Forces invading this Kingdom. And no Oath or other Engagement of this or the like Nature, to be during their said Stay, or at their Transportation, imposed upon them, saving an Engagement by Promise not to do any Act of Hostility, or of wilful Prejudice against the Parliament, during their said Stay in *England*. And it is declared; That those of the Three Auxiliary Regiments, consisting of Gentlemen and their Servants, Scholars, Citizens and Inhabitants, who are not properly of the Garrison in Pay, and such Reformed Officers and Soldiers who shall not be willing to march forth, shall have the Benefit of the ensuing Articles in all things, except for remaining in *Oxford*.

6. That the Governor shall be allowed and assisted in the Procuring a sufficient Number of Carts, Teams, Boats, and other Necessaries, for the carrying away all Goods allowed in these Articles, belonging to any Officers or Persons of Quality now residing in the Garrison, they paying the accustomed Rates. And that such Persons as cannot presently, through want of Carriages, or otherwise, convey them away, shall be assisted with Carriages at any time within Three Months for the disposing thereof.

7. That no Officer nor Soldier, nor any Persons whatsoever, comprized in this Capitulation, shall be reproached, nor have any disgraceful Speeches or Affronts offered to them, or be stopp'd, plunder'd, or injur'd in their March, Rendezvouz, or Quarters, Journeys, or Places of Abode; and if any such thing shall fall out, Satisfaction shall be given at the Judgment of any Two or more of the Commissioners, they being equal in Number of each Party: Nor shall the Persons aforesaid, nor any of them, be inticed or compelled to take up Arms against the King; nor be imprison'd, restrain'd, sued or molested, for any Matter or Cause whatsoever, before the Rendring of the Garrison, be it of publick or private Interest, during six Months after the Rendring thereof. And if any Officer, Soldier, or Person be sick or wounded, that at present they cannot enjoy the Benefit of these Articles, That such Persons shall have Liberty to stay 'till they shall be recovered, and fit Accommodation and Subsistence shall be provided for them during their Stay, and then to enjoy the Benefit of these Articles.

8. That all Horses, Arms, Money, and other Goods whatsoever, taken as lawful Prize of War, before or during the Siege, and now remaining in the City, be continued in the Possession of the present Possessors.

9. That these Articles shall extend to the Use and Benefit of all Strangers of any Foreign Kingdom or State residing within this Garrison, together with their Wives, Children, Servants, Horses, Arms, Goods, Money and Debts.

10. That all Persons included within these Articles (without Exception of any other than the Soldiers that are to march out upon the Fifth Article) shall have Liberty, during the Space of Three Months after the Rendring of the Garrison, either to remain in *Oxford*, or to remove themselves, with their Families, Goods, Horses, and all things that properly belong to them, or to their Disposition: And all Noblemen, Gentlemen, and Persons of Quality, with their Arms, or other Equipage, to their Houses or Friends, without any Prejudice to their Friends for receiving them.

11. That all Lords, Gentlemen, Clergymen, Officers, Soldiers, and all other Persons in *Oxon*, or comprized within this Capitulation, who have Estates real or personal, under or liable to Sequestration, according to Ordinance of Parliament, and shall desire to compound for them (except Persons by Name excepted by Ordinance of Parliament from Pardon) shall at any time within six Months after Rendring the Garrison of *Oxford*, be admitted to compound for their Estates: Which Composition shall not exceed Two Years Revenue for Estates of Inheritance; and for Estates for Lives, Years, and other real and personal Estates, shall not exceed the Proportion aforesaid for Inheritances according to the Value of them: And that all Persons aforesaid, whose Dwelling Houses are sequestrated (except before excepted) may after the Rendring of the Garrison, repair to them, and there abide, convenient Time being allow'd to such as are placed there under the Sequestration, for their Removal.

And it is agreed, That all the Profits and Revenues arising out of their Estates

Estates (after the Day of entring their Names as Compounders) shall remain in the Hands of the Tenants or Occupiers, to be answered to the Compounders when they have perfected their Agreements for their Compositions; and that they shall have Liberty and the General's Pass and Protection for their peaceable repair to, and abode at their several Houses or Friends; and to go to *London* to attend their Compositions, or elsewhere, upon their necessary Occasions, with Freedom of their Persons from Oaths, Engagements, and Molestations, during the Space of six Months; and after, so long as they prosecute their Compositions, without wilful Default or Neglect on their Part, except an Engagement by Promise not to bear Arms against the Parliament, nor wilfully do any Act prejudicial to their Affairs, so long as they remain in their Quarters. And it is farther agreed, That forthwith after their Compositions made, they shall be forthwith restored to, and enjoy their Estates, and all other Immmunities, as other Subjects do, together with their Rents and Profits from the Time of entring their Names, discharged of Sequestrations, and from Fifth and Twentieth Parts, and other Payments and Impositions, except such as shall be general, and common to them with others. 22 *Caroli.*

12. That no Lords, Gentlemen, Clergymen, Scholars, Officers, Soldiers, Citizens, nor any other Persons included in this Capitulation (except the Persons mentioned before to be excepted from Pardon) shall have the Benefit of this Article during the Space of six Months from the Rendring of the Garrison, and after, if they be admitted to, and agree for their Compositions.

13. That the Persons mentioned before to be excepted from Pardon, shall have Liberty, and the General's Pass and Protection for themselves, Families, Horses, Goods, and all other Things that properly belong unto them, now in *Oxford*, to go into, and abide at their own Houses or their Friends, for the Space of six Months after the Rendring of the Garrison; and within that Time to repair to *London*, to endeavour Composition for their Estates, and Indemnity of their Persons, and to make their Peace; and if they cannot obtain it, shall have Passes to go beyond the Seas at any Time within the said six Months; and that no other Engagement shall be put upon them, save by Promise not to bear Arms against the Parliament, nor wilfully do any Act prejudicial to their Affairs, so long as they remain in their Quarters.

14. That the Chancellor, Masters, and Scholars of the University of *Oxon*, and the Governors and Students of *Christ-Church*, of King *Henry* the Eighth's Foundation, and all other Heads and Governors, Masters, Fellows, and Scholars of the Colleges, Halls, and Bodies Corporate, and Societies of the same University, and the publick Professors and Readers, and the Orator thereof, and all other Persons belonging to the said University, or to any College or Hall therein, shall and may, according to their Statutes, Charters, and Customs, enjoy their ancient Form of Government, subordinate to the mediate Authority and Power of Parliament. And that all the Rights, Privileges, Franchises, Lands, Tenements, Houses, Possessions, Rents, Revenues, Hereditaments, Libraries, Debts, Goods and Chattels belonging to the said University, or to *Christ-Church*, or to any Colleges or Halls in the said University, (except such Rents and Revenues as have been already taken by Ordinance of Parliament) shall be enjoyed by them respectively, as aforesaid, free from Sequestrations, Fines, Taxes, and all other Molestations whatsoever, for or under colour of any thing whatsoever, relating to this present War, or to the unhappy Differences between his Majesty and the Parliament. And that all Churches, Chappels, Colleges, Halls, Libraries, Schools, and publick Buildings within or belonging to the City or University, or to *Christ-Church*, or the several Colleges or Halls thereof, shall be preserved from Defacing and Spoil. And if any Removal shall be made by the Parliament of any Head or other Members of the University, *Christ-Church*, Colleges, or Halls, that those so removed shall enjoy the Profits during the Space of six Months after the Rendring of *Oxon*; and shall have convenient Time allowed them for removal of themselves and their Goods, from their Lodgings. Provided, That this shall not extend to retard any Reformation there intended by the Parliament, or give them any Liberty to intermeddle in the Government.

15. That the Mayor, Bayliff, and Commonalty, and all Corporations within the City, shall enjoy their ancient Government, and their Charters, Cu-

 stoms,

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16. That the Citizens and Inhabitants of the City fhall not be charged with Free Quarter, or Billet of Soldiers, other than for Lodging (except in urgent time of Neceffity) and that to be ordered and difpofed by the Advice of the Mayor or his Deputy; and that in all publick Taxes they fhall be charged proportionably with the County. And that no Scholar, Citizen or Inhabitant in the Univerfity and City of *Oxford*, fhall be troubled or queftioned for taking up Arms in the Garrifon by exprefs Command, during the time it was a Garrifon, for the Defence thereof. And that the Scholars, Citizens and Inhabitants fhall have the Benefit of this Capitulation in all things that may concern them.

17. That no Officer, Soldier, or other Perfon, who by the Articles are to march out of the City or Suburbs, or to march in, fhall plunder, fpoil, or injure any Scholar, Citizen, Inhabitant, or other Perfon in *Oxford*, in their Perfon, Goods, or Eftate, to carry away any thing that is properly belonging to any of them.

18. That all Ladies, Gentlewomen, and other Women now in *Oxon*, whofe Husbands or Friends are abfent from thence, may have Paffes and Protection for themfelves, Servants, and Goods, to go to, and remain at the Houfes of their Husbands, or at their Friends, as they fhall defire, and to go or fend to *London*, or elfewhere, to obtain the Allowances out of their Husbands or Parents Eftates, allotted them by Ordinance of Parliament.

19. That fuch of his Majefty's Houfhold-Servants, who fhall defire to go to his Majefty, may have free Liberty and Paffes to go accordingly at any time within one Month next after the Rendring of the Garrifon; and that his Majefty's Houfhold-Stuff, and other his peculiar Goods, which are now in *Oxford*, may be carried to his Majefty's Houfe at *Hampton-Court*. And his Servants, under whofe Charge or Cuftody any of them are, fhall be allowed and affifted in procuring of Carts, Boats and Carriages, for the Removal of them thither, and there to remain 'till his Majefty fhall otherwife difpofe of them; and then to be fent or difpofed accordingly. And that fuch of his Majefty's Servants who are not able for the prefent to go to him, fhall have Liberty, Paffes, and Protections to go to, and remain at his Majefty's faid Houfe at *Hampton-Court*, and have Liberty to attend the Committee for his Majefty's Revenue, to procure a competent Allowance out of his Majefty's Revenues for their Subfiftence, until his Majefty fhall otherwife provide for, or difpofe of them.

20. That all Clergymen now in *Oxford*, who fhall not upon Compofition or otherwife be reftored to their Church-Livings, fhall have Liberty to go to *London*, to obtain fome fitting Allowance for the Livelihood of themfelves and their Families.

21. That it is intended, declared, and agreed, That all Perfons comprized within thefe Articles, fhall peaceably and quietly enjoy all their Goods, Debts and Moveables, allowed by thefe Articles, during the Space of fix Months after rendring the Garrifon: And that they fhall be free from all Oaths, Engagements, and Moleftations, except an Engagement by promife not to bear Arms againft the Parliament, nor wilfully do any Act prejudicial to their Affairs, fo long as they remain in their Quarters; and that they fhall have Liberty within the Space of fix Months (in cafe they fhall be refolved to go beyond Seas) to difpofe of their Goods, Debts, and Moveables, allowed by thefe Articles, and depart the Kingdom, if they think fit, and to have Paffes for their Tranfportation, or otherwife to ftay in the Kingdom.

22. That if any of thefe Articles fhall in any point be broken or violated by any Perfon or Perfons in *Oxford*, or comprized within this Capitulation, the Fault and Punifhment fhall be upon him or them only who made the Breach or Violation, and fhall not be imputed to, or charged upon any other not affenting thereunto, or not an Actor in it.

23. That the Duke of *Richmond*, the Earl of *Lindfey*, and their Servants that came forth with them, fhall enjoy the Benefit of thefe Articles, in whatfoever may concern them.

24. That

24. That the Garrisons of *Farringdon* shall be rendred to his Excellency Sir *Tho. Fairfax*; and the Governor, Gentlemen, Soldiers, and all other, of what Quality soever, within those Garrisons, shall enjoy the Benefit of these Articles, in every Particular which may concern them, they rendring the Garrison accordingly as *Oxford.*

25. That all Persons comprized in these Articles shall (upon Request) have a Certificate under the Hand of his Excellency Sir *Tho. Fairfax*, or the future Governor of the City, That such Persons were in the City at the Time of the Surrender thereof, and are to have the Benefit of these Articles.

26. That the General, Sir *Tho. Fairfax*, shall give a Pass to one or two Messengers, with their Servants, to go unto the King, to give him an Account of the Proceedings upon this Treaty, and Conclusion thereof, and to return and receive the Benefit of these Articles.

The Surrender of *Oxford*, *June* 24.

Accordingly, on *Wednesday*, *June* 24. the City of *Oxford* was surrendred, about 2000 of the Garrison marching out well arm'd, with Colours flying, and Drums beating, besides Officers. But before that, on *Monday* Prince *Rupert* and Prince *Maurice*, and divers Gentlemen of Quality, to the Number of about 300, left the City, and took their Way towards *Guildford* in *Surry*, but came as near *London* as *Oatland*'s; which the Two Houses seemed offended at, as contrary to the Articles, and sent them an Expostulary Letter thereupon, and requiring them forthwith to repair to the next convenient Port-Town, there to endeavour their Transportation within Ten Days; which if through their Neglect were not done in that Time, that then they should lose the Benefit of the Articles: Whereunto the Princes returned a Complimental Answer, excusing themselves from any ill Intentions, and expressing their willing Compliance with what was required, by the first Opportunity. And the Prince Elector desiring leave to visit his Brothers, the same was granted; and some time after, Prince *Rupert* and Prince *Maurice*, with several Gentlemen and other Attendants, took shipping at *Dover*, and went into *France*, whither his Highness the Prince of *Wales* was also retired from the Isle of *Jersey*, being honourably received at his Landing, and conducted to the Queen his Mother at St. *Germains*, about the Beginning of *July*. And his Highness the Duke of *York* was brought up from *Oxford* to St. *James's*.

The Prince of *Wales* goes into *France*. The Duke of *York* brought to St. *James's*.

A great Number of Gentlemen and others, after the Surrender of *Oxford*, stay'd for some time, 'till they could procure Passes; of which there were in a very few Days sign'd to the Number of 2000 or upwards. There were found in the Magazine 70 Barrels of Powder, besides Two Mills which supplied them daily; 38 Pieces of Ordnance, whereof 26 Brass; and pretty good store of salt Provisions.

On *Friday*, *July* 3. Mr. *Herbert*, one of the Commissioners of the Army, brought up and presented to the House of Commons the several Seals taken at *Oxford*; *viz.* The Great Seal of *England*, that was carried away thither in 1642. the Privy-Seal, the Signet Royal, the Seal of the *King's Bench*, the Seal of the *Exchequer*, the Seal of the *Court of Wards*, the Seal of the *Admiralty*, and the Sword of State: Which being brought into the House, it was ordered, That the Seals should be broken in pieces: And some time after, *viz. Aug.* 11. the Great Seal, the Seal of the *Court of Wards*, of the *Prerogative Court*, and of the *High Commission*, were by a Smith broken to pieces at the Bar of the Lords House, the whole House of Commons being present: And it was ordered, That the Silver thereof should be given to the Speakers of the Two Houses: But the Privy Signet, and another little Signet, were ordered to be laid up, and the Sword to be reposited in the Wardrobe.

The Great Seal, &c. broken to pieces, *Aug.* 11. 1646.

During the Siege of *Oxford*, after the Surrender of *Banbury Castle*, Col. *Whaley* was sent with some Troops of Horse to Blockade *Worcester*; and Col. *Morgan*, who was 'till such Time attending that Service with the *Glocestershire* Forces, was order'd by General *Fairfax* to *Ragland*, to Command in Chief such Forces as should be employ'd for reducing of that Place, if upon the Summons sent into *Worcester*, that City would not treat; which accordingly happening, the Royal Party in *Worcester* returning a resolute Answer, and making higher Demands than were granted to *Oxford*, Col. *Morgan*, according to his Orders,

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marched to *Ragland*; and Col. *Whaley*, together with the Forces of *Worcestershire*, *Shropshire*, and some Assistance from *Newport-Pagnel*, *Warwick*, and *Northampton*, continued before *Worcester*; but wanting Foot for a regular Siege, Col. *Rainsborough*, after the yielding of *Oxford*, was sent thither with a Brigade, and drew them close up to the City's Works; and in Two or Three Nights raised a Work which much incommoded the Besieged. In the mean Time the Governor sent out the following Letter to *Whaley*.

Col. *Washington's* Letter for a Parley, for the Surrender of *Worcester*, *June* 27.

SIR,

UPon the Overture of a Treaty from you, the Intelligence I received of the Delivery of *Oxford*, and the Sight of his Majesty's Letter there printed, for the Surrender of this Garrison (amongst others) upon Honourable Terms, I conceive myself now made capable to entertain a Treaty: Therefore, in order thereunto, I have nam'd the Gentlemen under-written, to meet with those that are or shall be nominated by you for that Purpose. And instead of Hostages, I am contented to take your Engagements of Honour under your Hands, for the safe Conduct of these Gentlemen, and their necessary Attendants. To Morrow, being *Sunday*, unfit for Business, I leave the Time and Place to your Appointment.

Your Servant,

Worcester, *June* 27. 1646. Henry Washington.

For the Soldiery, Sir *Robert Leigh*, Sir *Jordan Crosland*, Sir *William Bridges*, Mr. *Ralph Goodwin*.

For the City, *Four Citizens*.

For the Clergy, Dr. *Dove*, and Dr. *Warmstrey*.

Which being accepted by the Besiegers, they appointed Commissioners for the Soldiery and City, Col. *Bridges*, Col. *Dingley*, Col. *Star*, Col. *Loggon*, Col. *Betsworth*, Major *Fines*, Lieutenant-Col. *Turkington*, and Major *Hungerford*.

For the Gentry, Sir *Tho. Rous*, Mr. *Letsmore*, Mr. *Hunt*, and Mr. *Moor*.

And for the Ministry, Mr. *Moor* and Mr. *Baxter*.

However, this Overture did not quickly succeed; but after some Time, the Treaty being renewed, was concluded upon the Articles ensuing.

Articles for Surrender of *Worcester*, *July* 19.

Articles of Agreement for the Surrender of the City of Worcester, *and the Forts belonging thereunto, concluded* July 19. 1646. *between Col.* Tho. Rainsborough *on the Behalf of his Excellency Sir* Tho. Fairfax, *General of the Forces raised by the Parliament, and Col.* Henry Washington, *Governor of* Worcester.

1. THat the City of *Worcester*, with all Forts, Ordnance, Arms, Ammunition, Stores, and Provision of War thereunto belonging, shall be delivered without wilful Spoil and Imbezzlement, unto his Excellency Sir *Tho. Fairfax*, or unto such as he shall appoint to receive them, upon the 22d of this Instant *July*, at Ten of the Clock in the Morning, in such Manner, and with such Exceptions as are contained in the ensuing Articles.

2. That on the 23d of *July*, the Governor, and all Officers and Soldiers of the Garrison, with all other Persons therein that will, shall march out of *Worcester*, with their Horses, Arms and Baggage belonging to them, to any Place within one Mile of *Worcester*, which the Governor shall chuse, where all their Horses and Arms, except what is allowed in the ensuing Articles, shall be delivered up to such as his Excellency Sir *Tho. Fairfax* shall appoint. All the Soldiers shall be disbanded; and all such, both Officers, Soldiers, and others, as shall engage themselves by Promise never to bear Arms any more against the Parliament of *England*, nor do any thing wilfully to the Prejudice of their Affairs, shall have the Benefit of these ensuing Articles.

3. That all such as shall desire to go to their own Homes, or private Friends, shall have the General's Passes and Protection for their peaceable Repair to their several Places they shall desire to go unto; the Governor to pass with all Horses, Arms, and Baggage properly belonging to him; and each Colonel to pass with Three Horses, and each Lieutenant-Colonel and Serjeant-Major with Two Horses; each Captain, Lieutenant, and Cornet with One Horse; and every Person, not under the Degree of an Esquire, with Three Horses; and all of them with their Arms and Goods properly belonging to them, to be

be carried on their Horses; and all Soldiers with their Swords and such Baggage as properly belong to them, which they carry about them.

4. That all Persons, which are to have the Benefit of the preceding Articles, shall, if they desire it, have Passes to go beyond Seas, provided they depart this Kingdom within Two Months after the Surrender of the Town.

5. That the City and Garrison of *Worcester*, and all the Inhabitants thereof, shall be preserved from all Plunder and Violence of the Soldiers.

6. That Sir *William Russel*, now residing in *Worcester*, be excepted from any Benefit of these Articles.

Sign'd and Seal'd, July 19. 1646. *Hen. Washington.*

When the forementioned Forces were sent to *Worcester*, the General's Regiment with Col. *Lilburn* were sent to assist those before *Wallingford*; by whose Accession the Siege being strengthened, presently a Summons was sent into the Castle; but no good could be done, 'till *Fairfax* drawing a considerable Part of his Army that Way, the Governor sent him the following Letter.

SIR,

I Never intended to keep this Place for myself, but for his Majesty's Service, which shall never suffer for my Default: But if you please to give myself, and those that are with me such Conditions as shall become Persons of Honour in this Place to receive, I shall send such Propositions as we shall conceive fit, by these Officers under-written, to any Place you shall appoint, within Three Miles of this Garrison, to meet as many of yours, having safe Conduct for their Passage and Return: And during this Treaty shall leave it to your Choice to have Hostility, or a Cessation. I should never have thought of treating with any, were my Condition much worse than it's like to be this Twelvemonth, had I not Assurance of your Honour in making, and your Power in defending the Conditions you have made. Wherefore upon Honourable Terms you may have the strongest Fort in *England*, from,

SIR, *Your Humble Servant*,

June 27. 1646. Tho. Blage.

The Governor's Commissioners named, were, Col. Sir *Herbert Lunsford*, Lieut. Col. *Weston*, Lieut. Col. *Perkins*, Capt. *Chester*, Capt. *Stephens*, and Mr. *Hull*.

The Persons appointed by General *Fairfax* to meet them, and receive his Propositions, were Col. *Robert Lilburn*. Col. *Barkstead*, Col. *Jackson*, and Mr. *Blundel*. But the Propositions seemed so high to *Fairfax*, that he would not Treat upon them, but returned Word, He would send Propositions, such as were fit for them in the Capacity they were. And then the Governor sent out the following Letter to *Fairfax*'s Commissioners.

Gentlemen,

I Received your General, Sir *Tho. Fairfax*'s Letter, with another of yours: he says, he is preparing Propositions in Answer to mine: If they like me, I shall accept them; if not, you shall be sure to have my Answer at a Quarter of an Hour's Warning. But your Army being within a Day's march of *Wallingford*, forceth me to Guards within the Town; which (you know) I intend not to keep, but to fire it: Therefore I desire there may be a Cessation 'till either the Treaty is concluded or broken off: For which Purpose I shall send my Commissioners to Morrow to Treat with you concerning the Time and Manner of the Cessation; that mutual Engagements of Honour may be given on both Sides, which inviolably shall be observed on his Part, who is,

Wallingford, *July* 2. 1646. *Your Servant*, Tho. Blage.

Accordingly a Cessation was agreed on, and the Treaty proceeded; which after long Debate, resulted into these Articles for surrendring of the Castle.

Articles of Agreement concluded and agreed by his Excellency Sir Tho. Fairfax, *Knt. General of the Forces raised by the Parliament, on the one Party; and Col.* Tho. Blage, *Governor of* Wallingford, *on the other Party: For and concerning the Rendring of the Garrison of* Wallingford, *Castle and Town*, July 22. 1646.

1. THat the Castle and Town of *Wallingford*, with all the Ordnance, Arms, Ammunition, Stores, and Provisions of War thereunto belonging, shall be delivered up without wilful Spoil or Imbezzlement, unto his Excellency

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2. That on the said 29th Day of *July*, the Governor, and all Officers and Soldiers of the Garrison, with all other Persons therein (that will) shall march out of *Wallingford*, with their Horses and Arms properly belonging to them, (proportionable to their present or past Commands or Employments) with flying Colours, Trumpets sounding, Drums beating, Matches lighted at both Ends, Bullet in their Mouths, and every Soldier Twelve Charges of Powder, Match and Bullet proportionable, with one Piece of Ordnance, with Equipage, and with Bag and Baggage, to any Place within Ten Miles of *Wallingford*, which the Governor shall chuse; where (in regard his Majesty hath no Garrison left open, nor Army near) all their Horses and Arms, except what are allowed in the ensuing Articles, shall be delivered up to such as his Excellency Sir *Tho. Fairfax* shall appoint; all the Soldiers shall be disbanded, and all such, both Officers, Soldiers, and others, as shall engage themselves by Promise never to bear Arms against the Parliament, nor to do any thing wilfully to the Prejudice of their Affairs, during their Abode in the Parliament's Quarters, shall have the Benefit of the ensuing Articles: That is to say,

3. That all such as shall desire to go to their Homes, or private Friends, (who shall not be prejudiced for receiving them) shall have the General's Pass and Protection for their peaceable Repair to, and Abode at the several Places they shall so desire to go unto: The Governor, Officers, and Gentlemen, to pass with Equipage of Horses and Arms, answerable to their present and past Commands or Qualities, and all both Officers, Soldiers, and others, to pass with Bag and Baggage, and the Troopers only with their Swords, and their Bag and Baggage.

4. That all such (if there be any) who shall desire to take Entertainment for Foreign Service, shall have Passes for their Officers (not exceeding Four) with their Horses and Two Servants apiece, to go to *London*, to Treat with any Foreign Ambassador or Agent for Entertainment; and all of them shall have Liberty and Passes to march (the Officers with Equipage of Horses and Arms properly their own, and answerable to their present and past Commands, the Common Soldiers with their Swords, and all with Bag and Baggage) to the Quarters near unto *Harwich* and *Southampton*, or to any Port between them, to be transported; where they shall be assisted in the procuring of Vessels and Shipping for their Transportation, at the usual Rates accustomed for Freight, by the Governor of the next Garrison, Port, or Town, who shall also take care for their Safety, and Accommodation with Quarters, until Shipping be provided, and weather seasonable, they paying for the same after 28 Days from the Render.

5. That all the Persons now in *Wallingford* (not being of the Soldiery of the Garrison) shall have Liberty and Protection for their Persons and Goods to stay in the Town of *Wallingford* one Month after the Rendring, if they desire it; and then to have the General's Pass and Protection, as others going out at the Rendring, upon the like Engagement: And that any Person whatsoever (who being sick or wounded cannot at present remove) shall have Liberty to stay 'till they be recovered, or able to go away; and shall have fit Accommodation and Subsistence provided for them during such their Stay and then shall enjoy the Benefit of these Articles.

6. That no Person whatsoever conprized in this Capitulation, shall be reproached, reviled, affronted, plunder'd or injur'd in their March, Rendezvouz, or Quarters, Journeys, or Places of Abode, by these Articles allowed; nor shall be compelled to bear Arms, nor be imprisoned, restrained, sued, molested, or damnified, for any Matter whatsoever of publick or private Concernment, relating to the present War, the Matter or Grounds thereof, arising before the Rendring of the Garrison, during the Space of six Months after the Rendring thereof; nor be compelled to take any Oaths, or other Engagement than what is mentioned in the second Article, duing the Time of six Months; and to have Liberty, during the said Time, to travel about their lawful Affairs.

7. That all Horses, and other Goods now in *Wallingford*, taken as lawful Prize of War, or properly belonging to the Governor or Officers of the Garrison,

rison, before or during the Siege; shall be continued in the Possession of the present Possessors, except such as are to be delivered up by the Tenor of these Articles. 22 Caroli.

8. That such Houshold-stuff and Goods, now in *Wallingford*, as shall appear to the General, or such as he shall depute for that Purpose, to have been borrowed by any Officer or Gentleman in the Garrison, for their Use and Accommodation in the Garrison, shall be restored back to the Owners.

9. That if any Person or Persons shall wilfully violate these Articles in any Part, the Guilt thereof shall be imputed to such Person or Persons only, and shall not prejudice any other, not acting or consenting to the same.

10. That the Governor and Three more such Officers and Gentlemen as he shall name, shall have Passes from the General for themselves, with Two Servants apiece, their Horses, Swords, Pistols, and Necessaries, to go to the King to give him an Account of the said Garrison, and to return to their Homes or Friends; and that five Weeks shall be allowed for this Journey, which shall not be reckoned any Part of the six Months mentioned in the sixth Article, but he and they shall be allowed six Months after the End of the said five Weeks.

11. That no Officer, Soldier, or other Person, who by the Articles are to march out of the Castle or Town of *Wallingford* (or shall march in) shall plunder, spoil, or injure any Inhabitant or other Person therein, in their Persons, Goods, or Estates, or carry away any thing that is properly belonging to any of them.

12. That all Persons comprized within these Articles, shall peaceably and quietly enjoy all their Goods, Debts, and Moveables, and to depart the Kingdom with the same, as they shall think fit and desire; and shall have Passes from his Excellency for their Transportation accordingly.

13. That all Persons comprized in these Articles shall, upon Request, have a Certificate under the Hand of the General, or such as he shall appoint, That such Persons were in the Town and Castle of *Wallingford* at the Time of the Rendring thereof, and to have the Benefit of these Articles.

14. That the Townsmen and Inhabitants of the Town of *Wallingford* shall not be troubled or questioned for any thing said or written by any of them, nor the Corporation thereof prejudiced for any thing done by any of them by express Command since it was a Garrison; and that they shall have the Benefit of these Articles in all things that may concern them.

Tho. Fairfax.

After the Articles were signed and sealed, and the Day of Surrender agreed upon, a Party of Officers and Soldiers, upon some Discontent, mutinied against the Governor; and dividing themselves from the rest, came in a threatning way, presenting their Musquets at him, if they might not have their Wills and Demands granted; whereupon the Governor was necessitated privately to send for the Passes, and deliver the Castle a Day sooner than intended; and Lieut. Col. *Jackson* was enforced to draw his Regiment into the Town, between the Two Parties (the Mutiniers and the Governor's Party) to enforce an orderly Delivery of the Garrison. The Government of this Garrison was by *Fairfax* committed to Adjutant-General *Evelyn*.

The Siege of *Ragland*.

Next followed the Reduction of *Ragland*, a strong Castle in *Wales*, Garrison'd for the King, under the Marquess of *Worcester*, whose proper House it was, being situated very conveniently to command all Parts of *South-Wales*. It had been streightned by some Forces of Sir *Trevor Williams*, and Major-General *Langhorn*, before Col. *Morgan* was ordered thither from *Worcester* to Command in Chief, who had but 1500 Men first, and the Garrison consisted of 800; who made divers gallant Sallies, and in one kill'd a Cornet of *Morgan*'s, and carried away the Colours: But after the Rendition of *Oxford*, *Morgan* being reinforced with 2000 Men, sent in the following Summons.

Col. *Morgan*'s Summons to *Ragland*, *June* 28.

My Lord,

BY his Excellency's Command, this is my second Summons, whereby you are required forthwith to deliver to me to the Use of both Houses of Parliament, the Castle of *Ragland*, with all Ordnance, Arms, Ammunition,

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and Provisions, and all other Necessaries that belong to War, that are now in it; which if you will be pleased to do, you may haply find Mercy, as other Garrisons have had; and if you do refuse, expect but the Ruin of yourself, your Family, and this poor distressed Country. For I must acquaint your Lordship, That his Excellency Sir *Tho. Fairfax* having now finished his Work over the Kingdom, except this Castle, hath been pleased to spare his Forces for this Work, which are now upon their March this Way with all Materials fit for it; though I made no doubt but I had of mine own Strength sufficient to effect it. If your Lordship will deny to submit to this Summons, and that more Blood must be spilt, your Lordship may be confident that you shall receive no Favour from both Houses of Parliament. So expecting your Answer this Night by Nine of the Clock, I rest,

From the Leaguer before Ragland, *June* 28. 1646. *Your Lordship's Servant,* Tho. Morgan.

Upon the Faith and Honour of a Soldier, this is a True Copy of his Majesty's Letter to the Governor of Oxford, Litchfield, Wallingford, *and* Worcester, *and all other Garrisons in* England *and* Wales; *which I thought fit to present to your Lordship, that you may clearly see what probability of Relief you are like to have.*

S I R,

The Marquess's Answer.

I Have received this Day Two Advertisements from you; the first I did read, containing, as you would have me believe, a true Copy of his Majesty's Warrant to several Garrisons upon Honourable Terms to quit, *&c.* But truly, Sir, it is not in the Power of Man to make me think so unworthily of his Majesty, That to one, in the Opinion of the World, that hath given himself and Family so great a Remonstrance and Testimony of his and their Faith and Fidelity towards him, that he would not please so much as to name his Name, or *Ragland:* I intreat you give me leave to suspend my Belief. And for your second Summons, it makes it too evident, that it is desired that I should die under an Hedge like a Beggar, having no House left to put my Head into, nor Means left to find me Bread. Wherefore to give you Answer, I make choice (if it so please God) rather to die Nobly, than to live with Infamy: Which Answer, if it be not pleasing unto you, I shall not think you worthy to be stiled by me,

From my House at Ragland, *June* 28. 1646. *Your loving Friend and Servant,* H. Worcester.

My Lord,

Morgan's Second Letter.

SInce it is not in my Power to make you nor your Son believe any thing concerning the Surrender of those Garrisons by his Majesty's Order, that comes from me or any of our Party; once more, and the last, before I send your Answer to his Excellency Sir *Tho. Fairfax*, I shall give your Lordship way to send an Officer, with another of mine, to those Lords in *Oxford* to whom his Majesty's Letters were directed, for your better Satisfaction. This I do, my Lord, to prevent your utter Ruin, and that of this poor Country, so much occasioned by your Lordship's Obstinancy. I expect your present Answer, and rest,

June 28. *Your Servant,* Tho. Morgan.

S I R,

IN respect of your mentioning of any Respect or Kindness towards me, lest to be divulged to the World might do you any Prejudice, I have thought fit in your own Letter to return you Thanks for the same. And for Sir *Tho. Fairfax*, if he were here with all his Army, he should receive no other from me than you have had. I hope I serve (tho' not so well as I should) a Master that is of more Might than all the Armies in the World; and to his holy Will and Pleasure I submit myself, and yourself to do what you think fitting; and so rest.

From my Dwelling at Ragland, *June* 28. *Your Friend and Servant,* H. Worcester.

Some time after this, General *Fairfax* came in Person thither from *Bath* to quicken the Siege, which was in great Forwardness both for Works and Approaches; and then sent in this Summons to the Castle.

My

22 *Caroli.*

My Lord,

Fairfax's Summons to the Marquess of *Worcester, Aug.* 7.

BEing come into these Parts with such a Strength as, I may not doubt, but with the same good Hand of Providence that hath hitherto blessed us, in short time to reduce the Garrison of *Ragland* to the Obedience of the Parliament; I have in order thereto thought good to send your Lordship this Summons, hereby requiring you to deliver up to me for the Parliament's Use the said Garrison and Castle of *Ragland*; which as it only obstructs the Kingdom's Universal Peace, the Rendition may beget such Terms, as by Delay or Vain Hopes cannot hereafter be expected. I remain, *My Lord,*

Leaguer before Ragland, *Aug.* 7. 1646.

Your Lordship's most Humble Servant,
Tho. Fairfax.

Your Lordship's speedy Answer to this Summons is desired.

SIR,

The Marq. Answer.

ALthough my Infirmities might justly claim Privilege in so sudden an Answer, yet because you desire it, and I not unwilling to delay your Time, to your Letter of Summons to deliver up my House, and the only House now in my Possession to cover my Head in; These are to let you know, that if you did understand the Condition I am in, I dare say out of your Judgment you will not think it a reasonable Demand. I am loth to be the Author of mine own Ruin on both Sides, and therefore desire Leave to send to his Majesty to know his Pleasure what he will have done with his Garrison. As for my House, I presume he will command nothing; neither am I knowing how either by Law or Conscience I should be forced out of it. To this I desire your Return, and rest,

From my poor Cottage at Ragland, *Aug.* 7. 1646.

Your Excellency's Humble Servant,
H. Worcester.

My Lord,

Fairfax's Reply.

TOuching your sending to his Majesty, it is that which hath been denied to the most considerable Garrisons of *England*, farther than an Account to his Majesty of the Thing done, upon the Surrender; which I do also freely grant to your Lordship. And for that Distinction which your Lordship is pleased to make, *That it is your House*; if it had not been formed into *a Garrison*, I should not have troubled your Lordship with a Summons; and were it Disgarrison'd neither you nor your House should receive any Disquiet from me, or any that belong unto me.

This I thought good to return to yours, and thereby to discharge myself before God and the World, of all Extremities and sad Consequences that will ensue upon the Refusal of the Rendition of your Garrison upon my Summons. I remain,

Yours,
Tho. Fairfax.

SIR,

Another Letter of the Marquess's to *Fairfax.*

I Do much confide in your Honour, as that being at stake. Concerning leave to send to his Majesty, I will at this time forbear to make farther Motion in it; only one thing, which is extraordinary, I offer to your Consideration, for the just Cause, besides my Allegiance, of my reasonable Request; which is, That upon his Majesty's Promise of Satisfaction, I am above 20000 Pounds out of Purse; and if I should do any thing displeasing unto him, I am sure all that is lost, and no Benefit to the Parliament. If you knew how well known I was in *Henry* Earl of *Huntington's* Time unto your Noble Grandfather at *York*, I am assured I should receive that Favour at your Hands, that safely you might afford. God knows, if I might quietly receive my Means of Subsistence, and be in Security, with the Parliament's Approbation, and freed from the Malice of those Gentlemen that are of the Committee within this County, I should quickly quit myself of the Garrison; for I have no great Cause to take delight in it. I have that high Esteem of your Worth, Nobleness, and true Judgment, that knowing you will offer nothing ignoble or unworthy for me to do, as the Case stands with me, I desire to know what Conditions I may have, and I will return you present Answer; and in the mean time I rest,

Your Humble Servant,
Aug. 8. 1646.
H. Worcester.

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Fairfax's Answer.

My Lord,

ACcording to your Lordſhip's Deſire, I have returned you Conditions, ſuch as may be fit and ſatisfactory to the Soldiery. To your Lordſhip and Family I have granted Quiet and Security from all Violence of any that belong to me. I would perſuade your Lordſhip not to fear any Ill or Diſreſpect from the Committee of this County, (I ſhall eaſily reconcile that Party) or that they will do any thing but as they ſhall receive Order from the Parliament. By this Means you are at Liberty to ſend to the Parliament; and upon a preſent Surrender and Submiſſion to their Mercy and Favour, your Lordſhip cannot but think to receive better Terms for yourſelf, than if you ſtand it out to the laſt Extremity, when beſides the Hazard of your Perſon, and of thoſe in your Family (which I do preſume are dear to you) and the Spoil of the Caſtle, which cannot be avoided in extreme Undertakings againſt it. Your Lordſhip hath no Reaſon to expect better than the Marqueſs of *Winchester* received, who in making good *Baſing-Houſe* to the laſt, narrowly eſcaped in his own Perſon, loſt his Friends, ſubjected thoſe that eſcaped to great Frights and Hazard, his Houſe and Eſtate to utter Ruin, and himſelf to Extremity of Juſtice. Touching your Lordſhip's 20000*l.* your Lordſhip hath Liberty to ſolicit about that by the ſame Hands your Lordſhip ſhall give an Account of the Surrender to his Majeſty. I deſire your Lordſhip, upon Receipt of theſe, to diſmiſs my Trumpeter, and to return Anſwer by one of your own.

Tho. Fairfax.

A Third Letter of the Marqueſs's to *Fairfax*, *Aug.* 11.

S I R,

THE difficulty of Reſolution by the Soldiers and Officers (other than I thought) cauſeth my Requeſt for your Patience, in not giving you full Anſwer to the Conditions you ſent me Yeſterday; but as ſoon as I ſhall obtain it, you ſhall not be long without it: But one Thing, and that of Moment, I deſire to be ſatisfied in, Whether if any Concluſion ſhould be made, that afterward I ſhall be left to the Mercy of the Parliament, for Alteration at their Will and Pleaſures; and if it be ſo, I ſhall endeavour in vain to ſtudy more about it: For Example, in my Lord of *Shrewsbury*'s Caſe, and divers others how Conditions have been broken, doth a little affright me. I know by your Will and Conſent it ſhould never be; but Soldiers are unruly, and the Parliament unqueſtionable, and therefore I beſeech you pardon my juſt Cauſe of Fear, and I will reſt, *Your Humble Servant,*

Aug. 11. H. Worceſter.

Fairfax's Anſwer.

My Lord,

I Have peruſed your Letter of this 11th of *Auguſt*: As to your Scruple wherein you deſire to be ſatisfied (ſo far as I underſtand it) I can only give you this Reſolution, That what I grant, I will undertake ſhall be made good. As to the Inſtance you give in my Lord of *Shrewsbury*'s Caſe, the Actors in that Breach (who were none of my Army) have received their Cenſure, and by this time, I believe, the Execution. But here, if any Concluſion be made while I ſtay, I dare undertake there ſhall be no ſuch thing; or if any, there ſhall be Reparation.

Aug. 11. 1646. *Tho. Fairfax.*

A Fourth Letter of the Marqueſs's to *Fairfax*, *Aug.* 15.

S I R,

FOR the better Accommodation of theſe unhappy Differences, if you pleaſe that there may be a Ceſſation of Arms and Working, and to engage your Honour for the Return of my Commiſſioners, To-morrow by Ten of the Clock they ſhall wait upon you in your Leaguer, where they ſhall vindicate me for being the only Obſtruction of the General Peace. So, in expectation of your ſudden Anſwer, I reſt *Your Humble Servant,*

Aug. 13. 1646. H. Worceſter.

Fairfax's Anſwer.

My Lord,

HAving not yet received in any of your Letters a direct Anſwer to the Conditions I ſent you, I have no Grounds or Conſideration for ſuch a Ceſſation of Arms and Working as in your Letter you deſire; but if it be your Purpoſe to return your Anſwer by Commiſſioners, I ſhall by the Hour you

mention

mention appoint Commissioners of mine own to receive the same in the Leaguer, as you desire, and engage myself for the safe Return of yours, not exceeding six Commissioners, and as many Servants; and in order to this I shall be content there be a Cessation of Arms, and working from Nine of the Clock To-morrow Morning, 'till Two in the Afternoon. 22 *Caroli.*

Uske, Aug. 14. *Yours,* Tho. Fairfax.

S I R,

HAD I not thought you had been in the Leaguer, to the End that Propositions from the Place, in Answer to yours, might have been first presented unto you, and to avoid Delays, which I thought your Side would best like of, it was resolved to send Commissioners together with our Propositions; but considering it was otherwise, I have sent you such as I am advised unto, to take into your Consideration: And because there is some Addition to yours, I would have been glad you had heard the just Reasons thereof, to the End you might not have been persuaded to slight them without just Cause. Your Pleasure for the ordering of Business, I at your Leisure expect; and, if you please, the Dismission of this Messenger; and so rest, The Marq. Fifth Letter to Gen. *Fairfax, Aug.* 14.

Your Humble Servant, H. Worcester.

My Lord,

I Have perused the Propositions sent out by your Commissioners, which I find such as deserve no Answer. I have offered your Lordship and the rest Conditions which you may yet have, if you accept in time: If there be any thing in them obscure, needing Explanation, or wanting Circumstantials, for the better performing of the Things intended therein, I shall be willing to appoint Commissioners on my Part to Treat with yours to that Purpose, upon those Propositions of mine; provided you send Commissioners instructed with power to Treat and Conclude, and return your Resolution herein by Six of the Clock in the Evening. *Fairfax*'s Reply.

Aug. 14. 1646. *Yours,* &c. Tho. Fairfax.

In the mean time the Besiegers went on with their Approaches toward the Castle, their main Works being not above some 60 Yards distant, and had planted Four Mortar-pieces in one Place, and Two Mortar-pieces at another, each Mortar-piece carrying a Granado-Shell Twelve Inches Diameter.

August 14. *Fairfax* appointed a new Approach; which the Engineer, Captain *Hooper*, had so far proceeded in, as to throw up Approaches of an Hundred Yards in Circuit, making exact running Trenches (as secure as if they were Works against a Storm) coming within Sixty Yards of their Works.

August 15. The Marquess sent forth his Desire to Treat upon the General's Propositions; whereupon the Treaty was appointed at Mr. *Oats*'s House (about a Mile and a half from *Ragland*), to begin at Two of the Clock that Afternoon. *Fairfax*'s Commissioners were Col. *Birch*, Mr. *Herbert*, Quartermaster-General *Grasvenor*, Lieutenant-Colonel *Ashfield*, and Major *Tulida*.

By *Monday, Aug.* 17. the Treaty was concluded, according to the ensuing Articles.

Articles concluded and agreed on between his Excellency Sir Tho. Fairfax, *Kt. General of the Forces raised by the Parliament, on the one Part; and the Right Honourable the Marquess and Earl of* Worcester, *Governor of the Castle and Garrison of* Ragland, *on the other Part; for and concerning the Surrender of the Castle and Garrison of* Ragland. The Articles for Surrender of *Ragland, August* 17. 1646.

1. THat the Castle and Garrison of *Ragland*, with all the Ordnance, Arms, Ammunition and Provision of War thereunto belonging, shall be delivered up without wilful Spoil, unto his Excellency, Sir *Tho. Fairfax*, or such as he shall appoint to receive the same, on *Wednesday* next, being the 19th Day of this Instant *August*, by Ten of the Clock in the Forenoon, in such Form as shall be expressed in the ensuing Articles.

2. That upon the said 19th Day of *August*, the Officers, Gentlemen, and Soldiers of the Garrison, with all other Persons therein, shall march out of the said Garrison with their Horses and Arms, with Colours flying, Drums beating,

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3. That such as desire to go to their own Homes, or to their private Friends, shall have the General's Pass and Protection for their peaceable Repair to and Abode at the several Places they shall desire to go unto; the Officers and Gentlemen to pass with their Horses and Arms; also such Officers or Gentlemen, reformed or not reformed, that want Horses, shall march with their Arms; and all Officers, Gentlemen, Soldiers, and others, shall pass with Bag and Baggage.

4. That all Officers, Gentlemen, and others comprized within this Capitulation, shall have Three Months Time allowed them to remain in any Place within the Parliament's Quarters, for the endeavouring their Peace and Composition. And all Gentlemen that desire to go beyond the Seas, shall have their Passes for themselves and their Servants, and all other Necessaries, to any Sea-port to ship themselves, they paying the usual Rate: Provided they go within Three Months after the said Surrender. And that all Gentlemen, Officers, and others, as shall desire to take Foreign Entertainment, shall, without Exception, have Passes for themselves and Servants to go to *London* or elsewhere, to treat with any Ambassador, or other, to that Purpose, with their Bag and Baggage, to march to any Port, to be transported whither they please, they likewise paying the usual Rates.

5. That such as are either wounded or sick, shall either have Liberty to stay in the Castle, or be removed to such other Places as the Governor shall chuse for their Recovery.

6. That no Officers, Gentlemen, or Soldiers, during these Three Months, shall be question'd for any Words spoken, or Acts done, relating to this War since the Commencement of it. That no Person comprized in these Articles be reproached, affronted, plunder'd, or injur'd in their March, Quarters, or Places of Abode; or any Person that shall receive them, shall be molested, or suffer any Prejudice therefore, but shall have Liberty during the limited Time, to pass about their lawful Occasions; provided they act nothing to the Prejudice of the Parliament. And in case any of these Articles be broken by any particular Person, That the Punishment extend no farther than the Party so offending; and that all these Articles may be faithfully observed, according to the true Intent thereof, without any Cavil or mental Reservation to infringe them, or any of them.

On *Wednesday*, *August* 19. the Castle was surrendred, according to Agreement, to Sir *Tho. Fairfax*, for the Use of the Parliament. The Garrison was no sooner marched forth, but *Fairfax* entred the Castle, took a View of it, had some Conference with the Marquess, and afterwards went that Night to *Chepstow*, where he was entertained by the Committee there; from whence on *Thursday* 20. he returned to his Quarters at *Bath*.

This Castle of *Ragland* was a very strong Place, having a deep Moat encompassing it, besides the River running by it. There were delivered up with it Twenty Pieces of Ordnance, only Three Barrels of Powder, but they had a Mill with which they could make a Barrel a Day: There was found great store of Corn and Malt, Wine of all sorts, and Beer: The Horses they had left were not many, and those that were, almost starv'd for want of Hay; so that the Horses had like to have eaten one another for want of Meat, and therefore were tied with Chains: There was also great store of Goods and Rich Furniture found in the Castle, which *Fairfax* committed to the Care and Custody of Mr. *Herbert*, Commissioner of the Army, Mr. *Roger Williams*, and Major

jor *Tuliday*, to be inventoried: And that in case any of the Country could make a just Claim to any of them, as having been violently taken from them, or they compelled to bring them in thither, they should have them restor'd.

There marched out of the Castle the Marquess of *Worcester*, who was then above Fourscore Years of Age; the Lord *Charley*, the Marquess's Son; the Countess of *Glamorgan*, the Lady *Jones*, Sir *Philip Jones*, Dr. *Bailey*, Commissary *Gwilliam*, 4 Colonels, 82 Captains, 16 Lieutenants, 6 Cornets, 4 Ensigns, 4 Quartermasters, 52 Esquires and Gentlemen.

Pendennis Castle surrender'd.

Much about the same time was *Pendennis*-Castle surrender'd to the Parliament, being a very strong Place, situate in the utmost part of *Cornwall*, standing upon the Sea, and commanding in a great part the Harbour of *Falmouth*. It had been Garrison'd for the King by the Honourable *John Arundel* of *Trerise*, Esquire, and was beleaguer'd by part of *Fairfax*'s Army, under the Command of Col. *Fortescue* by Land, and by Capt. *Batton*, the Parliament's Vice-Admiral, by Sea: And after a considerable Siege, and gallant Resistance, was surrender'd on these Articles.

Articles for the Surrender of *Pendennis*-Castle, *Aug.* 16. 1646.

Articles agreed on the 16th *of* August, Anno Dom. 1646. *between Sir* Abraham Shipman, *Lieut. Col.* Richard Arundel, *Col.* William Slaughter, *Col.* Charles Jennings, *Col.* Lewis Tremain, Nevil Bligh, *and* Joseph June, *Esq; Lieut. Col.* Anthony Brocket, *on the Behalf of the Honourable* John Arundel *of* Trerise, *Esq; Governor of the Castle of* Pendennis, *of the one Party: And Col.* John St. Aubin, *Esq; High-Sheriff of the County of* Cornwal, *Sir* John Ayscue, *Kt. Col.* Robert Bennet, *Lieut. Col.* Edward Herle, *Lieut. Col.* Tho. Fitch, *Lieut. Col.* Richard Townsend, *Major* Thomas Jennings, *and Capt.* Walter Maynard, *on the Behalf of the Honourable Col.* Richard Fortescue, *Commander in Chief under his Excellency Sir* Thomas Fairfax, *of all the Forces of Horse and Foot within the County of* Cornwal; *and the Honourable Capt.* William Batton, *Vice-Admiral and Commander in Chief of the whole Fleet employ'd for the Service of King and Parliament, on the other Party.*

1. THAT the Castle of *Pendennis*, with all Fortresses, Forts, Fortifications thereunto belonging, the Ships and all other Vessels lying under the Castle, with the Furniture and Provisions unto them appertaining, all Ordnance of all sorts, with their Equipage, and all Arms, Ammunition, Provisions, and all other Impliments of War, Necessaries and Commodities of and belonging to the said Castle and Garrison (except what otherwise shall be dispo-sed by these Articles), shall without any manner of Diminution, Spoil, or Imbezzlement, be deliver'd upon *Monday* the 17th Day of this Instant *August*, at Two of the Clock in the Afternoon, into the Hands and Custody of the Two Commanders in Chief by Sea and Land respectively, or such Person or Persons as shall be by them appointed for the receiving of the same. And that immediately, upon signing the said Articles, the said Person shall be admitted into the Castle, to see the just Performance of the Premises, and Hostages given for the due Observance of them.

2. That *John Arundel* of *Trerise*, Esq; Governor of the said Castle of *Pendennis*, with his Family and Retinue, and all Officers and Soldiers of Horse and Foot, and all the Train of Artillery, and of the Ships, as well Reformado'd Officers as others; and all Gentlemen, Clergymen, and their Families and Servants, shall march out of the Castle of *Pendennis*, with their Horses, compleat Arms, and other Equipages, according to their present or past Commands and Qualities, with flying Colours, Trumpets sounding, Drums beating, Matches lighted at both Ends, Bullets in their Mouths, and every Soldier Twelve Charges of Powder, with Bullets and Match proportionable, with all their own proper Goods, Bag and Baggage, with a safe Convoy unto *Arwinch*-Downs: And because his Majesty hath neither Army nor Garrison in *England*, to our Knowledge, they shall there lay down their Arms (saving their Swords) unless such who are Officers in Commission, who with their Servants are to retain their Arms according to their Qalities; Country-Gentlemen and their Servants their Swords, only Ensigns their Colours; where such Persons as Col. *Fortescue* shall appoint, are to receive them: And as many as desire it, are to have

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Passes from the Commanders in Chief, to pass to their several Dwellings, or to such other Places under the Power of the Parliament, or beyond the Seas, as they shall desire, and not be plunder'd, searched, or injured in their March, or after, they not doing any thing to the Prejudice of the Parliament's Affairs; and no Man to be prejudic'd for the giving any of the Persons comprized in the said Articles, Entertainment in their Houses: And that the old Garrison-Soldiers, who have Houses in the Castle, shall have 28 Days after the Surrender, for the removing and disposing of their Goods.

3. That the Prince's Servants, with their Arms, and all Commanders, Officers, Gentlemen, Ladies, Gentlewomen, Clergymen, and all others, with their Retinue, that desire it, shall have Liberty to pass with their Bag and Baggage, and what else is allow'd in the Articles, beyond the Seas; and to that Purpose there shall be provided by the Vice-Admiral a sufficient Number of Navigable Vessels, with a Convoy for their safe Transporting from the Haven of *Falmouth*, within 28 Days after the Surrender of the said Castle, to be landed at St. *Malces* in *France*; and in the mean Time to be assigned Free Quarters at convenient Places by Col. *Fortescue*, Commander in Chief; and during the said Time, that they be not plunder'd or injur'd, they acting nothing prejudicial to the Parliament Affairs.

4. That Col. *Wise*, and all Officers and Soldiers of his Regiment, or as many of them as desire it, be shipt in *Falmouth*-Harbour, in Vessels to be provided by the Vice-Admiral, and landed at *Swansey* in *Wales*: And that such as are of the County of *Cornwal*, be shipt and landed as *Looe*; and those that be of *Devon*, to be landed at *Yalme*; and all to be shipt with Bag and Baggage, and such Arms as formerly allowed them, nor to be plunder'd nor injur'd in their Passage.

5. That whereas by Reason of the long Siege of the Castle of *Pendennis*, many of the Officers and Soldiers of the said Garrison are grown into great Necessity of all such Things as might enable them to march to their several Dwellings, many sick and wounded; and to the intent they may be supplied with Necessaries for their Accommodations within the Time limited to them by these Articles, it is promised and consented unto by the Commissioners for the Leaguer, to and with the Commissioners for the Castle, That Five Hundred Pounds *Sterling* shall be delivered into the Hands of the Commissioners of the Castle, or any Three of them, at 8 of the Clock to Morrow Morning at *Penrin*, to be destributed among the Officers and Soldiers aforesaid, as they shall think fit; and they are not to take any Free Quarter in their Marches.

6. That all Goods taken from any Person for the Accommodation of this Garrison, or any Person therein, shall be restored to their proper Owners, or such as they shall appoint; and all Goods now in the Castle that properly belong to any other Persons, shall be restored to the Owners thereof: And if any Person carry away any Goods not properly belonging unto him, and deny to deliver them upon demand, in presence of any Officer in Commission, he shall lose his Bag and Baggage, and have such Punishment as the now Governor of the Castle, and the Commander in Chief, or any Two of them, shall think fit: But all Persons may retain whatsoever was taken from Persons in Arms, as lawful Prize of War.

7. That the Governor, and all Field-Officers, with their several Retinues, shall be allow'd Carriage by Sea and Land, to carry away their said Goods to any Place within their Country.

8. That no Officer, Soldier, or other Person comprized within these Articles, shall be reproached, or have any disgraceful Words or Affronts offered, or be stopt, searched, plunder'd, or injur'd in their Marches, Rendezvouz, Quarters, Journeys, Places of Abode, or Passages by Sea or Land; and if any such thing be done, Satisfaction to be made, according to the Judgment of any Two Commissioners or more, being of equal Number of each Party: Nor shall any of the Persons aforesaid be compelled to take up Arms against the King, nor be imprison'd for any Cause of publick or private Concernment, during the Space of 28 Days after the Surrender of the said Castle; nor for any Cause of Publick Concernment, for 28 Days after the said 28 Days are ended.

9. That if any Person within the Garrison be sick or wounded, that they can-

not take the benefit of the Articles at present, they shall have liberty to stay and be provided for at convenient places until they recover, and then they shall have the fruit and benefit of these Articles.

10. That all persons comprized in this Capitulation, shall enjoy their Estates Real and Personal, they submitting to all Orders and Ordinances of Parliament, and shall fully enjoy the benefit of these Articles.

11. That all Prisoners of War of either side be set at liberty; and that liberty be given immediately after the Surrender of the said Castle, to the Governour thereof, to give notice to their Friends of the Surrender of the said Castle; and that no Vessel coming with Relief within Ten days after the Surrender, shall be made Prize.

12. That if any of these Articles shall in any Point be broke or violated by any person or persons in *Pendennis*, or compriz'd within this Capitulation, the Fault and Punishment shall be upon them or him only who made the Breach or Violation, and shall not be imputed or charged on any other not assenting thereunto, or acting therein.

13. That all persons comprized in these Articles, shall upon request have Certificates under the hands of the Commander in Chief respectively, That such Persons were in the Castle at the time of the Surrender thereof, and were otherwise to have the benefit of these Articles.

14. That the Commanders in Chief respectively shall give Passes to one or two Messengers with their Servants, not exceeding Six, to go to the King by Sea or Land, from the Governour, to give an Account to him of the Proceedings of this Treaty, and Conclusion thereof; and to return and receive the benefit of these Articles.

15. That Commissioners be appointed on both sides for the performance of the Articles, and Places appointed for the Accommodation of Sick Men.

16. That Confirmation of all the precedent Articles shall be procured from the Parliament, or from his Excellency Sir *Tho. Fairfax*, within Forty Days after the signing of these Articles.

The Archbishop of *York* takes up Arms for the Parliament.

Some time before this, Major-General *Mitton* took the Town of *Conoway* in *North-Wales*, wherein he was much assisted by Dr. *Williams*, Archbishop of *York*: For that Prelate about *April* 1646. had quitted the King's Party, declared for the Parliament, and betaking himself to his House at *Purin*, near *Conoway*, put a Garison therein for the Parliament, and persuaded the Country not to pay Contribution any longer to *Conoway*; which incensing that Garison, the Lord *Byron*, upon notice of such his Revolt, sent out a Party from *Conoway* to besiege him in his House; but he sending to Col. *Mitton* for Assistance, *Mitton* dispatch'd a Party thither to interpose and help him; and the Bishop became active on that side in Person, so that he received a Wound on the side of the Neck, before *Conoway*, but not dangerous: And *Mitton* being drawn before that Town, his Grace the Archbishop assisted at a Council of War on the 8*th* of *August*, where it was resolved to storm the Town; which was accordingly attempted, and with some Loss accomplished, and some days after the Castle surrender'd; as also *Flint*-Castle, and all other places in *Wales*.

Conoway Town storm'd, *Aug.* 9. 1646.

So that now there was not one Garison in *England* or *Wales* remaining, but what was reduced to the Power of the Two Houses, save only those in the *North*, which remained in the hands of the *Scots*.

An. 1646.

CHAP. X.

Civil Transactions after his Majesty's being at Newcastle, *between him and the Two Houses, and the* Scots: *With the Propositions tender'd to him there; and his Majesty's Answer thereunto,* &c.

THE Two Houses being now possess'd of the Strength of the Kingdom, were busy in compleating their Propositions *for Peace,* which they designed to send to his Majesty, and which had been retarded by the Disagreement of the *Scots* Commissioners; but now at last they thought fit to concur therein, expressing their Consent in the following Paper; which was delivered with this following Speech of the Marquess of *Argyle*, together with some other Papers; which for fuller Satisfaction we shall give you in the same order as they were then delivered.

The Lord Marquess of *Argyle* his Speech to a Grand Committee of both Houses, *June* 25. 1646.

My Lords and Gentlemen,

THough I have had the Honour to be named by the Kingdom of *Scotland* in all the Commissions which had relation to this Kingdom since the beginning of this War, yet I never had the happiness to be with your Lordships till now; wherein I reverence God's Providence, that he hath brought me hither at such an opportunity, when I may boldly say, it is in the power of the Two Kingdoms, yea, I may say in your Lordships power, to make us both happy, if you make good use of this occasion, by setling Religion, the Peace and Union of these Kingdoms. The work of Reformation in these Kingdoms is so great a work, as no Age nor History can parallel since Christ's days; for no one Nation had ever such a Reformation set forth unto them, much less Three Kingdoms: So that this Generation may truly think themselves happy if they can be instrumental in it. And as the Work is very great, so it cannot be expected but it must have great and powerful Enemies, not only Flesh and Blood, which hate to be reformed, but Principalities and Powers, the Rulers of the darkness of this world, and spiritual wickednesses in high places. As the dangers are great, we must look the better to our duties; and the best way to perform these, is to keep us by the Rules which are to be found in our National Covenant, principally the Word of God, and in its own Place, the Example of the best Reform'd Churches. And in our way we must beware of some Rocks, which are temptations both upon the right and left hand, so that we must hold the middle Path. Upon the one part we would take heed not to settle lawless Liberty in Religion, whereby instead of Uniformity we should set up a thousand Heresies and Schisms, which is directly contrary and destructive to our Covenant. Upon the other part, we are to look that we persecute not Piety and peaceable men, who cannot through scruple of Conscience come up in all things to the common Rule: But that they may have such a forbearance as may be according to the Word of God, may consist with the Covenant, and not be destructive to the Rule it self, nor to the Peace of the Church and Kingdom; wherein I will insist no further, either to wrong your Lordships Patience or Judgments, who, I doubt not, will be very careful to do every thing according to our Covenant.

As to the other point, concerning the Peace and Union of the Kingdoms, I know it is that which all profess they desire; I hope it is that all do aim at; sure I am, it is that which all men ought to study and endeavour. And I think it not amiss to remember your Lordships of some former Experiences, as an Argument to move us to be wise for the future. If the Kingdom of *England* in the 1640 year of God, then sitting in Parliament, had concurred as they were desired, against the Kingdom of *Scotland*, no question we had been brought to many difficulties, which blessed be God was by the Wisdom of the Honourable Houses prevented. So likewise, when this Kingdom was in difficulties, if the Kingdom of *Scotland* had not willingly, yea chearfully sacrificed their

their Peace to concur with this Kingdom, your Lordships all know what might have been the danger. Therefore let us hold fast that Union which is so happily established betwixt us; and let nothing make us again two, who are so many ways one; all of one Language, in one Island, all under one King, one in Religion, yea one in Covenant; so that in effect, we differ in nothing but in the Name (and so do Brethren,) which I wish were also removed, that we might be altogether one, if the Two Kingdoms shall think fit: For I dare say, not the greatest Kingdom in the Earth can prejudice both, so much as one of them may do the other.

I will forbear at this time to speak of the many Jealousies I hear are suggested; for as I do not love them, so I delight not to mention them: Only one I cannot forbear to speak of, As if the Kingdom of *Scotland* were too much affected with the King's Interest. I will not deny but the Kingdom of *Scotland*, by Reason of the Reign of many Kings, his Progenitors, over them, hath a Natural Affection to his Majesty, whereby they wish he may be rather Reformed than Ruined: Yet experience may tell, that Personal Regard to him hath never made them forget that common Rule, *The Safety of the People is the Supreme Law*. So likewise their love to Monarchy makes them very desirous, that it may be rather regulated than destroyed: Which I hope I need not to mention further to your Lordships, who, I trust, are of the same mind.

I know likewise there are many Jealousies and unjust Aspersions cast upon the *Scotish* Armies in *England* and *Ireland*: I can (if it were needful) presently produce Heads of a Declaration intended by the Army in *England*, for vindicating themselves from such Injuries, and shewing the clearness of their Resolution and Integrity, both in the Cause, and towards this Kingdom; wherein their Undertakings, and coming in at such a Season of the Year, their hard Sufferings, and constant Endeavours since, may be sufficient Testimonies. Therefore I am the more bold to desire your Lordships, That so long as they stay in *England* (which I wish may be for a short time) they may be supplied with some Moneys, and their Quarters enlarged, lest their lying in too narrow Quarters make the burthen insupportable to that exhausted Corner of the Country where they now remain, and so beget Outcries against them, when they are not enabled to discharge their Quarters, as other Armies within the Kingdom.

As for the Army in *Ireland*, I have been an Eye-witness to their Sufferings, and so may speak of it likewise upon certain knowledge, That never Men have suffered greater hardships, who might have been provided for: They have lived many times upon a few Beans measured out to them by number, and never had any other Drink but Water: And when they were in some better condition, they had but an *Irish* Peck of rough Oats for a whole Week: And now at their best Condition, when they are quarter'd upon the Country (which is able to entertain them only for a very short time) they have only an *Irish* Peck of Oatmeal, or a Shilling, in the Ten days, both for Meat and Drink. Therefore, according to the many desires given in to the Honourable Houses for that end, I humbly intreat that your Lordships will take care to provide for them, so long as it is thought fit they remain in that Kingdom.

For a renewed Testimony of our earnest desires to comply with the Honourable Houses for setling the Peace of these Kingdoms, so much longed for, we do return unto your Lordships the Propositions of Peace (which we received on *Tuesday* last) with our Consent thereunto, wishing they may be hasted to his Majesty, who hath so often called for them. And I likewise offer to your Lordships the Copy of his Majesty's Letter to my L. *Ormond*, discharging him from any further medling in any Treaty with the Rebels in *Ireland*, I hope in order to his Majesty's further condescending to the setling of that Proposition concerning *Ireland*, and the rest of the Propositions now to be sent unto him. Another Paper there is, which concerns the supplying of the *Scotish* Armies in *England* and *Ireland*, and the perfecting of the Accounts between the Kingdoms, together with a Letter from Gen. Major *Monroe*, to the Committee of Estates of the Kingdom of *Scotland*, concerning the State of Affairs in *Ireland*. All which when your Lordships have consider'd, I trust ye will take such course therein, as may satisfy our just desires, may put an end to our present Troubles, and settle these Kingdoms in a happy Peace.

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The Paper wherein the Commiſſioners for the Kingdom of *Scotland* conſent to the Propoſitions of Peace.

IT is above a Twelvemonth ſithence we did earneſtly preſs the ſending of Propoſitions to the King for a ſafe and well-grounded Peace. In anſwer whereunto, the Honourable Houſes were pleaſed to acquaint us, That they had reſolved Propoſitions ſhould be ſent to his Majeſty, but did intend to make ſome Alterations in the former Propoſitions; and after Eight or Nine Months deliberation, we received from the Honourable Houſes ſome of thoſe Propoſitions: And tho' we did find therein very material Additions, Alterations, and Omiſſions, which for their great Importance, and the intereſt of the Kingdom of *Scotland* therein, might very well have required the delay of an Anſwer until the Eſtates of that Kingdom had been conſulted; yet ſo unwilling were we to retard the means of Peace, that in a Fortnights time we returned an Anſwer upon the whole Propoſitions. And the Houſes of Parliament not reſting ſatisfied therewith, in leſs than ten days we prepared a further Anſwer, wherein we did very much comply with the Deſires of the Honourable Houſes, eſpecially in the matter of the ſetling of the *Militia* of *England* and *Ireland*, and in other things did ſhew our readineſs to hear or propoſe ſuch Expedients as might determine our Differences: So that in a whole Years time the Propoſitions have not remained in our hands the ſpace of Four Weeks (which we only mention to clear our Proceedings from Miſtakes and Aſperſions,) And the Houſes having now, after Two Months further deliberation, delivered unto us, upon the 23*d* of this Inſtant *June*, all the Propoſitions they intend to ſend to the King at this time, we do without any delay return ſuch an Anſwer and Reſolution thereupon, as will be to the preſent and future Generations one undeniable Teſtimony (beſides many others) of the Integrity and Faithfulneſs of the Kingdom of *Scotland*, in their ſolemn League and Covenant, of their love to Peace and earneſt deſire to ſatisfy their Brethren of *England* in thoſe things which concern the Good and Government of this Kingdom: Being further reſolved, touching the Kingdom of *Scotland*, That as nothing of ſingle or ſole Concernment to that Nation did engage them in this War, ſo nothing of that nature ſhall continue the ſame. Altho' theſe Propoſitions now to be ſent, do much differ from the Propoſitions formerly agreed upon by the Parliaments of both Kingdoms, and the moſt material Additions, Omiſſions and Alterations, are in ſuch particulars as concern the joint Intereſt and mutual Confidence and Conjunction of both Kingdoms, which were, as we conceive, much better provided for and ſtrengthned by the former Propoſitions than by theſe: Altho' the particular Propoſitions preſented by us, concerning the Kingdom of *Scotland*, are not yet agreed unto by the Houſes of Parliament, as was offered in their Paper of the 10*th* of *April*: Altho' divers Propoſitions of joint concernment be now ſuperſeded, and the ſending of them delayed to a more convenient time, as is expreſſed in the Votes of both Houſes the 26*th* of *March*: And altho' (which is to us more than all the reſt) thoſe Ordinances of Parliament unto which the Fifth and Sixth Propoſitions do relate (and were therefore communicated unto us, upon our deſire to ſee what the Houſes had already agreed upon concerning Religion) do not contain the Eſtabliſhment of ſuch a Reformation of Religion, and Uniformity as was expected, and was the chief end of our Engagement in this War. And as all theſe Ordinances put together come ſhort of what was wiſhed, ſo there are ſome Particulars which we conceive to be inconſiſtent with the Word of God, and the Example of the beſt-Reformed Churches, and therefore cannot in our Conſciences conſent unto them; which Particulars were expreſſed to both Houſes in the Remonſtrance of the Commiſſioners of the Church of *Scotland*, of the date, *March* 26. 1646. Yet nevertheleſs we do ſo earneſtly deſire and ſo highly value the eaſing of the heavy Preſſures under which both Kingdoms groan, and the bringing of this bloody laſting War to a ſpeedy and happy end; conſidering withal, that not only the Book of Common-Prayer, and the Prelatical Government are aboliſhed, and a common Directory of Worſhip eſtabliſhed in both Kingdoms, but that likewiſe the Ordinances aforementioned to contain divers parts of a poſitive Reformation and Uniformity in Church-Government, unto which we formerly gave our Conſent in our Anſwer upon the whole Propoſitions of Peace of the 20*th* of *April*; and for ſo happy beginnings, and ſo good a foundation laid for the future, we heartily thank

thank God, and do acknowledge the Zeal, Piety, and Wisdom of the Honourable Houses therein; remembring also that these Ordinances do not contain the whole Model of Church-Government; and that the Houses have been pleased to express, [*That it cannot be expected that a perfect Rule in every particular should be setled all at once, but that there will be need of Supplements and Additions, and haply of Alterations in some things, as Experience shall bring to light the necessity thereof.*] 22 Caroli.

Upon these Considerations, as we do chearfully consent to many material parts of these Propositions, so we resolve to make no Lett, but to give way to the sending of such other Particulars therein contained, with which we are unsatisfied in the matter, for the Reasons formerly represented to both Houses; of which some still stand in force, though others of them be taken away by the new Expedients. It being always understood, that our not dissenting from, nor opposing of the sending of the Propositions as they now stand, shall be no prejudice nor impediment to all or any one of the Articles of the Solemn League and Covenant, especially to the first Articles, concerning the preservation of the Reformed Religion in the Church of *Scotland*, in Doctrine, Worship, Discipline, and Government, against our common Enemies; the Reformation of Religion in the Kingdoms of *England* and *Ireland*, in Doctrine, Worship, Discipline, and Government, according to the Word of God, and Example of the best Reformed Churches; and the bringing of the Churches of God in the Three Kingdoms, to the nearest Conjunction and Uniformity in Religion, Confession of Faith, Form of Church-Government, Directory for Worship, and Catechising; which things both Kingdoms are by Covenant obliged sincerely and really to endeavour; and that not for a time, but constantly; so that neither of the Kingdoms can be loosed or acquitted from the most strict and solemn Obligation of their continued and constant endeavouring these good Ends, so far as any of them is not yet obtained: It being also understood, that our concurrence to the sending of the Propositions, shall be without prejudice to any Agreement or Treaty between the Kingdoms, and shall not infringe any Engagement made to the Kingdom of *Scotland*, nor be any hindrance to our insisting upon the other Propositions already made known to the Houses: And it being understood that it is not our Judgment, that every Particular and Circumstance of these Propositions is of so great Importance to these Kingdoms, as Peace and War should depend thereupon. Upon these Grounds (which we make known only for clearing our Consciences, and for discharging our selves in the Trust put upon us, without the least Thought of retarding the so much long'd-for Peace) we condescend and agree that the Propositions as they are now resolved upon, be in the Name of both Kingdoms presented to the King; whose Heart we beseech the Lord wholly to incline to the Counsels of Truth and Peace.

June 25 1646.

By the Command of the Commissioners for the Kingdom of Scotland.

John Chiesly.

Another Paper, wherein the Commissioners for the Kingdom of *Scotland* desire their Armies in *England* and *Ireland* to be supplied, the Accounts to be perfected, and all Armies disbanded, *&c.*

HAving so often represented by Papers, and now by Word to the Honourable Houses, the extreme Necessities of our Armies in *England* and *Ireland*, we shall not trouble them with unnecessary Repetition, but only mention those Desires which require their very speedy Consideration.

1. We desire, that for easing the Country of their great Pressures, and preventing many dangerous Inconveniences, the Quarters of the *Scotish* Army in the *North* of this Kingdom may be enlarged, and a considerable Supply of Money dispatched unto them.

2. That Money, Provisions, and Ammunition may be sent to the *Scotish* Army in *Ireland*, and the same Care taken in providing for them, as for other Forces employed in that Kingdom.

3. That the 5000 Arms long since promised, and in an Ordinance of both Houses of the 26th of *August*, 1645. referred to the care of the Committee at *Haberdashers-Hall*, may be speedily provided; and that the Honourable Houses will be pleased to grant Power to that Committee to contract and make Payment as well as to treat for furnishing of these Arms; by reason of which

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which defect in the Ordinance, the sending of these Arms hath been hitherto retarded.

4. That to prevent the further Invasion of the Kingdom of *Scotland* by the *Irish* Rebels, Ships may be presently sent to attend the Coasts betwixt *Scotland* and *Ireland*; and the Commanders of these Ships authorised with such Instructions as are agreeable to the Treaties between the Kingdoms.

5. That the Honourable Houses will be pleased to send Commissioners to join with the Committee of Estates, residing with the *Scotish* Army, who may be Witnesses, as of their other Proceedings, so of their earnest Desires and real Endeavours with the King, for giving speedy and full Satisfaction to both Kingdoms. And it is also our earnest Request, That these Commissioners may have Power to treat and agree with the Committee of Estates concerning the stating of the Accounts, and setling any differences that may arise thereupon. And further to treat and agree upon Overtures, estimated Mediums, or Expedients for the speedy setling thereof (which we are confident may be done in a very few days,) and either finally to conclude them, or represent them to both Houses; whereby with all possible expedition, upon the setling of the Propositions and Accounts, such course may be taken, as all Armies may be disbanded, the Kingdoms eased of their heavy Pressures and insupportable Burthens, that so all things being setled in a Brotherly way, we and our Posterity may after so unhappy and troublesome a War, enjoy a quiet and blessed Peace.

By Command of the Commissioners for the Kingdom of Scotland.

25. *June*, 1646.

John Chiefly.

Charles R.

His Majesty's Letter to the Marquess of *Ormond*, not to proceed further in Treaty with the Rebels, *June* 11. 1646.

RIght Trusty, *&c.* Having long with much Grief looked upon the sad Condition our Kingdom of *Ireland* hath been in these divers Years through the wicked and desperate Rebellion there, and the bloody Effects have ensued thereupon; for the setling whereof we would have wholly applied our selves, if the Differences betwixt us and our Subjects here had not diverted and withdrawn us: And not having been able by Force (for that respect) to reduce them, we were necessitated, for the present Safety of our Protestant Subjects there to give you Power and Authority to treat with them upon such pious, honourable, and safe Grounds, as the Good of that our Kingdom did then require. But for many Reasons, too long for a Letter, we think fit to require you to proceed no further in Treaty with the Rebels, nor to engage us upon any Conditions with them after sight hereof. And having formerly found such real Proofs of your ready Obedience to our Commands, we doubt not of your Care in this, wherein our Service and the Good of our Protestant Subjects in *Ireland* is so much concerned. *From* Newcastle, *the* 11*th of* June, 1646.

To his Excellency the Earl of Leven; *The Petition of all the Officers and Soldiers under your Excellency's Command.*

Sheweth,

The *Scots* Army's Petition to their General, for a Declaration of their Integrity.

THat whereas the whole Officers and Soldiers of this Army under your Excellency's Command, out of their Zeal to the Reformation of Religion, their tender Care to preserve and confirm the mutual Amity and Confidence of both Kingdoms, and their earnest desires to vindicate their Honour from Reproaches and Aspersions lying upon them, have thought it necessary to emit a Declaration of their Constancy and Integrity in the pursuance of the ends of the Covenant; and likewise to supplicate his Majesty, That he would be pleased to comply with the just desires of his Parliaments, and take some speedy course to put an end to our lasting Miseries, by setling of Truth and Peace.

May it therefore please your Excellency to represent our Desires in this behalf to the Honourable Committee; and that we humbly conceive, the Uprightness of our Intentions herein (having nothing before our eyes, but the Good of Religion, his Majesty's Happiness, and the Peace of these Kingdoms) will procure a favourable Acceptance of our Endeavours.

The

22 *Caroli.*

A Declaration of the Lord General, the General Officers and Soldiers of the *Scotish* Army at *Newcastle*, *June* 29. 1646

THE many Calamities and heavy Pressures, the sad Affliction lying upon these Kingdoms this time past, and the great Effusion of Christian Blood, occasioned by the continuance of this unnatural War, having so deeply wounded us; and being earnestly desirous to give some evident Testimony of our Piety to God, Loyalty to our Sovereign, and Love to these Kingdoms; that the Constancy of our Affection to this Cause, our Zeal to the Reformation of Religion, and his Majesty's Person and Authority in defence thereof, and our firm Resolutions to pursue the Ends express'd in our Solemn League and Covenant, may appear to the World; we have thought it necessary in this Juncture of time, when all means are essayed by the Enemies of Truth and Peace to disparage our proceedings, by rendring suspected our best Actions and Endeavours, to the begetting of Misunderstanding, and weakning the Union between the two Kingdoms, to declare and make known, That as we have entred into a Solemn League and Covenant, with our hands lifted up to the most High God, with real Intentions to promote the Ends thereof, so we do resolve, God willing, constantly to adhere to the whole Heads and Articles of the same, and for no earthly Tentation, for no Fear or Hope, to fall away and violate our Sacred Oath.

We do likewise profess, That nothing hath been with greater Care and Faithfulness endeavoured by us, than to preserve the happy Union and Brotherly Correspondence between the Kingdoms, as a principal Mean of Happiness to both; and shall continue in the same Care to avoid every thing that may tend to the Infringment thereof, with a special regard and tenderness to the Interests of both Kingdoms: For the strengthning of which Union, and removing every thing that might obstruct the same, As hitherto we have had no Compliance, nor kept Correspondence with known Enemies and Malignants, So will we never hereafter give Countenance or Encouragement to any person disaffected to the Parliaments of either Kingdom.

And that the Integrity of our Intentions, and the Uprightness of our Desires may be the more manifest, we do declare, That we abhor all publick and private ways, contrary to the Covenant, and destructive to the Happiness of both Kingdoms: We disclaim all dealing with those that are Instruments of these unhappy Troubles and Impediments of Peace; and with all such persons who will not use all Means and Endeavours, and contribute their best Counsels and Advice for hasting an End to our lasting Miseries, and procuring a sure and well-grounded Peace; and in particular, we do abominate and detest that execrable Rebellion of *James Grahame*, utterly abjuring all manner of Conjunction with him and his Confederates, and with all other known Enemies, or declared Traytors to either Kingdom, notwithstanding of any Insinuations to the contrary, express'd in some Letters, as it is said, by his Majesty to the Earl of *Ormond* in *Ireland*: For we have none but single Intentions, and unfeigned Desires of Peace, renouncing all Communion with whatsoever Designs and Practices contrived in the dark, to the prejudice of Religion, and Tranquility of these Kingdoms, the only Principles by which we move.

And as we came into this Kingdom at the earnest desires of our Brethren, to assist them in the time of their great Extremity, in the pursuance of the National Covenant, not for any mercenary Ends, nor to enrich our selves, as is falsly and calumniously charged upon us by those that wish not well unto us nor our Cause; so shall we be most willing to depart and return home in Peace, with the same Chearfulness and Affection that we had when we came in: Nor shall the matter of Money, or want of just Recompence for the Service performed, and Hardship sustained, be to us an Argument of our stay: But leaving the Consideration of these things to the Wisdom and Discretion of both Parliaments, we shall so far deny our selves, as not to suffer any private Respects of our own to retard the Advancement of this Cause, or prejudge the publick Work of both Kingdoms.

We cannot conceal, but must acknowledge how sensible we are, and have always been, of the many Complaints presented to the Parliament of *England* against this Army, and the heavy Calumnies and Aspersions lying upon us for having committed Insolencies, and oppressed the People by taking Free Quarter; offering our selves most willing and ready, that whosoever amongst

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us have by their Misdemeanors, Miscarriages, or inordinate way of walking, scandalized the Cause for which we have taken our Lives in our hand, or endeavoured to beget a Misunderstanding, or foment Jealousies between the Kingdoms, we shall strive to discover all such, and labour to bring them to publick Trial and condign Punishment: Not doubting, but as we are zealous to vindicate our Honour and Reputation from all Reproaches, so the Parliament will likewise be pleased to have such favourable Construction of our Proceedings, as not willingly to harbour any Thoughts which may lessen their Respects to us, and which are not suitable to the constant Tenor of our Carriage and Profession. And we shall likewise desire, That the manifold Necessities and pressing Wants to which we were many times reduced, may not be forgotten; and that the ways and means appointed for our Supply, neither answered the Expectation of the Honourable Houses of Parliament, nor satisfied our Necessities; so that for want of Moneys we could not always discharge our Quarters: Yet do we most freely declare our willingness to allow of whatsoever hath been taken up by us; and for that effect we desire the Accounts of the Army to be adjusted with the several and respective Counties, that whatever can be justly charged upon us, may be discounted off any Sums that shall be resting us in Arrear. And if we knew any thing else that could serve to remove all Jealousies and Misunderstandings, and beget a more full Confidence of our Uprightness, we should with the same readiness apply our selves to all the ways that might conduce thereunto.

But because his Majesty's sudden and unexpected coming into this Army doth minister new occasion to us to give some demonstration of our Constancy; though we hope his Majesty came with real Intentions to satisfy the just desires of his Parliaments, and compose all those differences; yet lest it should bring in question the Clearness and Integrity of our ways, whereof your Consciences do bear us witness, and all our Actions shall be publick and real Testimonies; we do protest, that his presence with us hath not begotten any Alteration in our minds in the least measure to estrange us from the ways of our Covenant, or alienate our Resolutions from going on zealously, constantly, and unanimously, to set forward the Ends therein express'd, endeavouring (so far as lieth in our power) to improve that Providence of his coming to us, to the publick Good and Happiness of both Kingdoms. And as it is our earnest desire that his Majesty would no more suffer himself to be involved in the Counsels whereof he has had so sad experience, to the endangering of his Person, Posterity, and Kingdoms; so do we exceedingly wish, that he would comply with the Counsels of his Parliaments, to the Satisfaction of his good People. And we shall be careful that nothing proceed from us, which may give occasion to his Majesty to entertain any secret Confidence, That this Army will give Assistance for advancing other ends than such as are agreeable to our Covenant, conducing to the Good of Religion, the Happiness of the King and his Posterity, and Safety of the Kingdoms.

Signed by his Excellency the Earl of Leven, *the General Officers, and Three Commissioners from every Regiment of the Army.*

The Petition of the Earl of Leven, *Lord General, the General Officers, Colonels, and Captains,* &c. *of the* Scotish *Army, presented to his Majesty at* Newcastle.

WE your Majesty's Loyal Subjects and Faithful Servants, the Lord General, the General Officers, the Colonels and Captains in the *Scotish* Army, now in the Kingdom of *England*, from the deep sense of the bleeding Condition of these Kingdoms, so heavy prest with sad Afflictions, through the unhappy Differences between your Majesty and your Subjects, from the true Affection and Zeal to the Reformation of Religion, and your Majesty's Person and Authority in defence thereof; and in the pursuance of that sacred Oath which we have taken, with our hands lifted up to the most High God, Do make our humble Address, and tender this earnest Petition to your Majesty in our name, and in the name of all the Inferior Commanders and Soldiers under our Charge, That your Majesty in your Wisdom and Goodness may be pleased to take a speedy course for setling of Religion and Church-Government in this Kingdom, according to the Word of God, and Example of

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of the best Reformed Churches, and bringing the Churches of the Three Kingdoms to the nearest Conjunction and Uniformity; and for establishing the Privileges and Liberties of your Kingdoms, according to the desires of your good People. We may not conceal our unfeigned Grief, for that your Majesty hath not yet been pleased to authorize and sign the Covenant, which we are confident would bring Honour to God, Happiness to your self and Posterity, and indear your Majesty (above measure) to all your faithful and Loyal Subjects: In the just defence whereof, as many of them have already left their lives, so are we ready to sacrifice ours.

We must also pray your Majesty to compassionate the distressed Condition of your Kingdoms, groaning under the heavy Pressures of manifold Calamities, occasioned by the Continuance of this unnatural War; and to comply with the Counsels of your Parliament; that all Differences being happily composed, and the Armies in both Kingdoms disbanded, we may return home in Peace, or be disposed of otherwise by your Majesty, with the Advice of your Parliaments, which may be most for your Majesty's Honour and Service, and the Prosperity of these Kingdoms.

Signed by his Excellency the Earl of Leven, *the General Officers, and Three Commissioners from every Regiment of the Army.*

By his Majesty's Command.

I Am in his Name to return this Answer to the Petition presented to him by the Lord General, the General Officers, the Colonels, and other Officers and Soldiers of the *Scotish* Army, That his Majesty came into the *Scotish* Army with full intent of setling an happy Peace in these his Kingdoms, and to satisfy the just desires of his good Subjects; and likewise to comply with his Parliaments in all things which shall be for the Good of Religion, and the Happiness of his Subjects, which he will always prefer to all Worldly Interests: And whensoever it shall please God so to bless his Majesty's Endeavours, as to settle an happy Peace in these his Dominions, his Majesty will be very solicitous to find out some means of honourable Employment for so many Gallant Men as are employed in this Army.

At Newcastle, *June* 27. 1646. *Lanrick.*

June 27. The Propositions for Peace pass'd.

A Report being made to the Commons House, of the Propositions for Peace, as presented back by the Lords and *Scots* Commissioners, they were all again read over, and pass'd without any Alteration.

June 30. *Morgan* a Priest executed.

One *Morgan*, alias *Powel*, of the Order of St. *Benedict*, convicted the last Term at the *Kings-Bench* Bar of having received Orders beyond the Seas in the Church of *Rome*, and afterwards coming into *England* contrary to Law, was drawn, hang'd, and quarter'd at *Tyburn*.

July 2. Order of the Commons touching those that come from *Oxford*, what Hours they should keep, &c.

IN order to the Safety of the Parliament and City, it is ordered by the Commons in Parliament assembled, That all such persons, of what Degree or Quality soever, Officers, Soldiers and others, as come out of *Oxford*, or any other of the King's Garisons, while they remain within the Cities of *London* and *Westminster*, and Lines of Communication, shall not go Armed, or keep any Arms in their Lodgings or Houses; and after Nine of the Clock at Night not to be out of their Lodgings. That all persons, of what Degree or Quality soever, comprized within the Articles of *Oxon*, *Exon*, and all other Garisons, that are already come to the Cities of *London* and *Westminster*, and Places within the Lines of Communication, shall before *Tuesday* next, being the *9th* of this Instant *July*, repair to *Guildhall, London*, and shall there in presence of any Three of the Committee of the Militia of *London*, produce their Passes, and shall according to the Articles engage themselves by Promise not to bear Arms against the Parliament, nor wilfully to do any Act prejudicial to their Affairs, so long as they remain in their Quarters. And that all persons, of what Degree or Quality soever, comprized within any of the said Articles, as shall hereafter come within the said Cities and Lines of Communication, shall within Four days after their coming, repair to *Guildhall, London*, and shall there likewise produce their Passes, and make the like Engagements.

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And whoever ſhall neglect or refuſe to obſerve this Order, or do any thing contrary to the ſaid Articles, ſhall forfeit the Benefit of the ſaid Articles. And this to be Printed, and Publiſhed by Sound of Trumpet, or Beat of Drum: And the Committee of the Militia of *London* is deſired to take care that it be Publiſh'd accordingly.

July 6. Commons vote no more need of the *Scots*.

The Commons voted, That this Kingdom hath no further need of the *Scotch* Army; and that the Kingdom is unable to pay them longer: And that a Letter ſhould be ſent from both Houſes to the Commiſſioners of *Scotland*, to deſire them to withdraw their Army into *Scotland*.

July 10.

Several Letters arrived from the General Aſſembly of the Kirk of *Scotland* to the Parliament, to the City, and to the Aſſembly of Divines, as follow.

A Letter from the General Aſſembly of the Kirk of *Scotland* to both Houſes of Parliament, 18 *June*, 1646

Right Honourable,

THE Report of the great things which the Lord has done for your Honours, has gone forth into many Lands, and it becometh us leaſt of any either to ſmother or extenuate the ſame: We deſire to be enlarged in the Admiration of the Power and Mercy of God the Author, and to diminiſh nothing of that Praiſe that is due unto you as Inſtruments. When the Lord ſet your Honours upon the Bench of Judgment, both the Kirk and Commonwealth of *England* were afflicted with inteſtine and boſom Evils; the Cure whereof could not but be very difficult, becauſe they were not only many, but for the moſt part univerſal and deeply rooted, ſhelter'd under the ſhadow of Cuſtom and Law, and ſupported with all the Wiſdom and Strength of the Malignant and Prelatical Party; who rather chuſed to involve the Land in an unnatural and bloody War, than to fail of their ambitious and treacherous Deſigns againſt Religion, the Privileges of Parliament, and the Laws and Liberties of the Kingdom. Neither hath that miſerable Crew been wanting unto their own Ends, but for many years together hath deſperately purſued their Reſolutions in Arms; and was likely to have prevailed, if the Lord had not put himſelf in the breach, and furniſhed you with much Patience, Wiſdom, Courage, and Conſtancy, in the midſt of many Difficulties and Diſtreſſes, and at laſt with ſo glorious and triumphing a Succeſs, that the Enemy hath fallen every where before you, and there is none left to appear againſt you. Theſe things, as they be the matter of our Refreſhment, and of your Glory, ſo do they lay a ſtrong Obligation upon your Honours to walk humbly with your God, and to improve the Power he has put into your Hands, for the Advancement of the Kingdom of his Son, and bringing forth the Head-Stone of his Houſe. The ſlow progreſs of the Work of God has always been the matter of our Sorrow; which is now increaſed, by the multiplication of the Spirits of Error and Deluſion, that drown many Souls in Perdition, and ſo ſtrengthen themſelves, that they ſhall afterward be laboured againſt with more Pains than Succeſs, if a ſpeedy and effectual Remedy be not provided. And therefore, as the Servants of the Living God, who not only ſend up our Supplications daily for you, but have hazarded our ſelves in your defence, we do earneſtly beſeech your Honours in the Bowels of Jeſus Chriſt, to give unto him the Glory that is due unto his Name, by a timous eſtabliſhing all his Ordinances in the full Integrity and Power thereof, according to the League and Covenant. As long as the Aſſembly of Divines was in debate, and an Enemy in the Fields, we conceive that theſe might be probable grounds of delay, which being now removed out of the way, we do promiſe our ſelves through your Wiſdom, Faithfulneſs, and Zeal, the perfecting of that which was the main ground of our Engagement, and a chief matter of Conſolation unto us in all our ſad and heavy Sufferings from the hand of a moſt cruel Enemy. We know that there is a Generation of Men who retard the work of Uniformity, and foment Jealouſies betwixt the Nations, ſtudying if it were poſſible, to break our bonds aſunder: But we truſt that he that ſitteth in the Heavens will laugh, and that the Lord will have them in deriſion; that he ſhall ſpeak to them in his Wrath, and vex them in his ſore Diſpleaſure; and notwithſtanding of all that they can do, ſet his King upon his holy Hill of *Zion*, and make theſe Nations happy in the ſweet Fruits of Unity in Truth and Peace. The Searcher of hearts knows we deſire to hold faſt the band of our

Covenant as sacred and inviolable, being perswaded that the breach of so solemn a Tye could not but hasten down upon our heads a Curse and Vengeance from the Righteous Judge of the World, and involve these Kingdoms in further Calamities than they have yet seen. And we abhor to entertain any other Thoughts of you: Nay, we are confident that your Honours will seriously endeavour the Prosecution of all these Ends designed in the Covenant, and the bringing these Nations unto the nearest Conjunction both in Judgment and Affection, especially in those things that concern Religion; which without all controversy is the readiest and surest way of attaining and securing the Peace and Prosperity of both Kingdoms. 22 Caroli

Edinburgh, the 18*th* of *June*, 1646.

Subscribed in the Name of the General Assembly, by the Moderator.

Robert Blair, *Moderator.*

A Letter from the General Assembly of the Kirk of *Scotland*, to the Lord-Mayor, Aldermen, and Common-Council of the City of *London*, 18. *June* 1646.

Right Honourable,

YOur late and seasonable Testimony given to the Truth of the Gospel, and your Affection to the Peace of the Kingdoms, manifested in your humble Remonstrance and Petition to the Honourable Houses of Parliament, hath so revived the remembrance of your former Faith and Zeal, and proclaimed you the worthy Seed of so Noble Ancestors in that famous City, as we cannot but acknowledge with all Thankfulness the Grace of God bestowed on you, and stir you up to take notice, how since you were precious in the Lord's sight, you have been ever Honourable. The Lord hath ever loved you, given Men for you, and People for your life: What an honour was it in the days of old, when the Fire of the Lord was in *Zion*, and his Furnace in your *Jerusalem* (even in Queen *Mary*'s days) that there were found in you men that loved not their lives unto the death! What a glory in after times, when Satan had his Throne, and Antichrist his Seat in the midst of you, that there were still found not a few that kept their Garments clean! But the greatest Praise of the good Hand of God upon you hath been in this, That amidst the many Mists of Error and Heresy, which have risen from the bottomless Pit, to bespot the Face and darken the Glory of the Church, while the Bride is a making ready for the Lamb, you have held the Truth, and most piously endeavoured the setling of Christ upon his Throne. We need not remember how zealous you have been in the Cause of God, nor how you have laid out your selves and Estates in the maintenance thereof, nor how many acknowledgments of the same you have had from the Honourable Houses, nor how precious a remembrance will be had of you in After-Ages, for your selling of all to buy the Pearl of Price: We only at this time do admire, and in the inward of our hearts do bless the Lord for your right and deep apprehensions of the great and important matters of Christ in his Royal Crown, and of the Kingdoms in their Union, while the Lord maketh offer to bring our Ship (so much afflicted and tossed with Tempest) to the safe Harbour of Truth and Peace. Right memorable is your Zeal against Sects and Sectaries; your Care of Reformation according to the Word of God, and the Example of the best Reformed Churches; your earnest endeavouring and Noble Adventures for preserving of the Rights and Privileges of Parliament, and Liberties of the Kingdom, together with his Majesty's just Power and Greatness; and your high Profession, that it is not in the Power of any Human Authority to discharge or absolve you from adhering unto that our so solemnly sworn League and Covenant, or to enforce upon you any Sense contrary to the Letter of the same: Besides your other good Services done to the Lord and to us, in strengthning the hands of the Reverend Assembly of Divines, and of our Commissioners, in their asserting of the Government of Christ (which the more it be tried, will be ever found the more precious Truth) and vindicating of the same from the usurpation of man, and contempt of the wicked. These all, as they are so many Testimonies of your Piety, Loyalty, and undaunted Resolution to stand for Christ; so are they, and shall ever be, so many Obligations upon us your Brethren, to esteem highly of you in the Lord, and to bear you on our Breasts before him Night and Day, and to contribute our best Endeavours, and to improve all Opportunities for your Encouragement.

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couragement. And now we beseech you in the Lord, Honourable and Well-beloved, go on in this your Strength, and in the Power of his Might, who hath honoured you to be faithful. Stand fast in the Liberty wherewith Christ hath made you free; and in pursuance of this Truth we are confident you will never cease to study the Peace and nearer Conjunction of the Kingdoms; knowing that a Threefoold Cord is not easily broken. Now the Lord Jesus Christ himself, and God even our Father, which hath loved and honoured you, and given you everlasting Consolation and good Hope through Gracer, comfort your Hearts, and stablish you in every good word and work.

Edinburgh, the 18*th* of *June*, 1646. *Subscribed in the Name of the General Assembly, by the Moderator.*

Robert Blair, *Moderator.*

A Letter from the General Assembly of the Kirk of *Scotland*, to the Assembly of Divines at *Westminster*, *June* 27. 1646.

Much Honoured, and Right Reverend,

Amongst other Fruits of this our precious Liberty, after such Dissipation by Sword and Pestilence to meet again, we account it not the least, to have the opportunity of making a publick Declaration of our earnest Affection to all our dear Brethren of that Nation, and especially to your selves of the Reverend Assembly at *Westminster*. When we were lately in a very low Condition, we may say that our own Sufferings and Fears, altho' imbitter'd with the Sense of the Lord's displeasure against our Lukewarmness and Unfaithfulness, did not so take up our heart, but that room was left to congratulate with the Lord's People there in all their Successes, and to condole with them, in all their Dangers: And if at any time any here hath seemed to be more jealous than Godly Jealousy would allow, we know not how it can be imputed to any thing else, but to the vehemency of ardent Affection, and impatient desire to have our Brethren there and Us joined nearer to Christ, and to one another, in all his Ordinances, and especially in Presbyterial Government, so well warranted by the Word, and approved by experience of our own and other Reformed Churches; wherein your long and unwearied Endeavours have been blessed with a large Increase, which yet have proved a Seed unto a further and more glorious expected Harvest. There could not be wished by mortal men a fairer Opportunity than is cast in your Lap, being invited and charged by so high an Authority to give so free and publick a Testimony of those Truths which formerly many of the Lord's precious ones by Tongue and Pen, by Tears and Blood, have more privately asserted. The smallest of Christ's Truths (if it be lawful to call any of them small) is of greater moment than all the other Businesses that ever have been debated since the beginning of the World to this day: But the highest of Honours and heaviest of Burthens is put upon you, To declare out of the Sacred Records of Divine Truth, what is the Prerogative of the Crown, and Extent of the Scepter of Jesus Christ; what Bounds are to be set between him ruling in his House, and Powers established by God on Earth; how and by whom his House is to be governed, and by what ways a Restraint is to be put on these who would pervert his Truth, and subvert the Faith of many. No doubt Mountains of Oppositions arise, and Gulphs of Difficulties open up themselves in this your way; but you have found it is God that girdeth you with Strength, and maketh your way perfect and plain before you; who hath delivered, and doth deliver, and will yet deliver. We need not put you in mind, that as there lieth at this time a strict Tye on all, so in a special manner both you and we are ingaged to interpose our selves between God and these Kingdoms, between the Two Nations, between the King and the People, for the averting of deserved Wrath, for continuing and increasing a well-grounded Union, by procuring, so far as in us lieth, a right setling of Religion and Church-Government; that when we shall sleep with our Fathers, the Posterity here and abroad may be reaping the Fruits of our Labours.

We are fully assured of your constant and sedulous promoting of this blessed Work, and of the Lord's assisting and carrying you on therein; and are confident, that your late Experience, and present Sense of the great Danger and fearful Confusion flowing from the Rise and Growth of Sects and Sectaries not suppressed, hath stirred up in your Hearts most fervent desires and careful

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endeavours for remedying of the same; wherein we exhort you to continue and abound, knowing that your Labours shall not be in vain in the Lord: To whose Rich Grace we commend you, and the Work in your hands.

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Edinburgh, 27. *June*, 1646.

Subscribed in the Name of the General Assembly.

Robert Blair, *Moderator.*

Monday, July 13. 1646.

The Propositions for Peace being fully agreed upon by both Houses, and the *Scots* Commissioners, a Committee was this day appointed to examine the said Propositions, newly Engrossed, by the Original Copy, and then signed by the Clerks of both Houses, and the Commissioners for *Scotland*, and then to deliver them to the Parliament's Commissioners, who were to carry them to the King. All which being accordingly dispatch'd, the said Commissioners the next morning did set forwards with the said Propositions towards *Newcastle*; Mr. *Marshal* the Minister being order'd by the Commons to attend them as their Chaplain.

Which Propositions being forthwith ordered to be Printed, we shall here give them you *Verbatim.*

Die Sabbathi, 11. July, 1646.

The Propositions for Peace from the Two Houses, offered to his Majesty at *Newcastle.*

The Propositions of the Lords and Commons assembled in Parliament, for a safe and well-grounded Peace: Sent to his Majesty at Newcastle, *by the Right Honourable the Earl of* Pembroke *and* Montgomery, *the Earl of* Suffolk, *Members of the House of Peers; and Sir* Walter Erle, *Sir* John Hipisly, *Knts*, Robert Goodwyn, Luke Robinson, *Esqs; Members of the House of Commons.*

May it please your Majesty,

WE the Lords and Commons assembled in the Parliament of *England*, in the Name and on the behalf of the Kingdom of *England* and *Ireland*; and the Commissioners of the Parliament of *Scotland* in the Name and on the behalf of the Kingdom of *Scotland*, Do humbly present unto your Majesty the humble Desires and Propositions for a safe and well-grounded Peace, agreed upon by the Parliaments of both Kingdoms respectively, unto which we do pray your Majesty's Assent: And that they, and all such Bills as shall be tendered to your Majesty in pursuance of them, or any of them, may be established and enacted for Statutes and Acts of Parliament, by your Majesty's Royal Assent, in the Parliament of both Kingdoms respectively.

1. Whereas both Houses of the Parliament of *England* have been necessitated to undertake a War in their just and lawful Defence; and afterwards both Kingdoms of *England* and *Scotland* joined in Solemn League and Covenant, were engaged to prosecute the same;

That by Act of Parliament in each Kingdom respectively, all Oaths, Declarations, and Proclamations heretofore had, or hereafter to be had against both or either of the Houses of Parliament of *England*, the Parliaments of the Kingdom of *Scotland*, and the late Convention of Estates in *Scotland*, or the Committees flowing from the Parliament or Convention in *Scotland*, or their Ordinances and Proceedings, or against any for adhering unto them, or for doing or executing any Office, Place, or Charge, by any Authority derived from them; and all Judgments, Indictments, Outlawries, Attainders, and Inquisitions in any the said Causes; and all Grants thereupon had or made, or to be made or had, be declared null, suppressed, and forbidden: And that this be publickly intimated in all Parish-Churches within his Majesty's Dominions, and all other places needful.

2. That his Majesty, according to the laudable Example of his Royal Father of happy Memory, may be pleased to Swear and Sign the late Solemn League and Covenant: And that an Act of Parliament be passed in both Kingdoms respectively, for enjoining the taking thereof by all the Subjects of the Three Kingdoms; and the Ordinances concerning the manner of taking the same in both Kingdoms, be confirmed by Acts of Parliament respectively, with such Penalties as by mutual Advice of both Kingdoms shall be agreed upon.

3. That

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3. That a Bill be paſſed for the utter aboliſhing and taking away of all Archbiſhops, Biſhops, their Chancellors and Commiſſaries, Deans and Sub-Deans, Deans and Chapters, Archdeacons, Canons and Prebendaries, and all Chaunters, Chancellors, Treaſurers, Sub-Treaſurers, Succentors and Sacriſts, and all Vicars Choril and Choriſters, old Vicars and new Vicars of any Cathedral or Collegiate Church, and all other Under-Officers, out of the Church of *England*, and Dominion of *Wales*, and out of the Church of *Ireland*; with ſuch Alterations concerning the Eſtates of Prelates, as ſhall agree with the Articles of the late Treaty, of the date at *Edinburgh*, 29. *November*, 1643. and joint Declaration of both Kingdoms.

4. That the Ordinances concerning the calling and ſitting of the Aſſembly of Divines, be confirmed by Act of Parliament.

5. That Reformation of Religion according to the Covenant, be ſettled by Act of Parliament, in ſuch manner as both Houſes have agreed, or ſhall agree upon after Conſultation had with the Aſſembly of Divines.

6. Foraſmuch as both Kingdoms are mutually obliged by the ſame Covenant to endeavour the neareſt Conjunction and Uniformity in matters of Religion, according to the Covenant, as after Conſultation had with the Divines of both Kingdoms aſſembled, is or ſhall be jointly agreed upon by both Houſes of Parliament of *England*, and by the Church and Kingdom of *Scotland*, be confirmed by Acts of Parliament of both Kingdoms reſpectively.

7. That for the more effectual diſabling Jeſuits, Prieſts, Papiſts, and Popiſh Recuſants from diſturbing the State, and deluding the Laws; and for the better diſcovering and ſpeedy Conviction of Recuſants, an Oath be eſtabliſhed by Act of Parliament, to be adminiſtred to them, wherein they ſhall abjure and renounce the Pope's Supremacy, the Doctrine of Tranſubſtantiation, Purgatory, worſhipping of the conſecrated Hoſt, Crucifixes and Images, and all other Popiſh Superſtitions and Errors: And refuſing the ſaid Oath, being tender'd in ſuch manner as ſhall be appointed by the ſaid Act, to be a ſufficient Conviction of Recuſancy.

8. An Act of Parliament for Education of the Children of Papiſts, by Proteſtants, in the Proteſtant Religion.

9. An Act for the true Levy of the Penalties againſt them; which Penalties to be levied and diſpoſed in ſuch manner as both Houſes ſhall agree on; wherein to be provided, that his Majeſty ſhall have no loſs.

10. That an Act be paſſed in Parliament, whereby the Practices of Papiſts againſt the State may be prevented, and the Laws againſt them duly executed, and a ſtricter Courſe taken to prevent the ſaying or hearing of Maſs in the Court, or any other part of this Kingdom.

11. The like for the Kingdom of *Scotland*, concerning the four laſt preceding Propoſitions, in ſuch manner as the Eſtates of the Parliament there ſhall think fit.

12. That the King do give his Royal Aſſent to an Act for the due Obſervation of the Lord's-Day.

And to the Bill for the Suppreſſion of Innovations in Churches and Chappels, in and about the Worſhip of God, *&c.*

And for the better Advancement of the Preaching of God's Holy Word in all Parts of this Kingdom.

And to the Bill againſt the enjoying of Pluralities of Benefices by Spiritual Perſons, and Non-Reſidency.

And to an Act to be framed and agreed upon by both Houſes of Parliament, for the reforming and regulating of both Univerſities, of the Colleges of *Weſtminſter*, *Wincheſter*, and *Eaton*.

And to ſuch Act or Acts for raiſing of Moneys for the Payment and Satiſfaction of the Publick Debts and Damages of the Kingdom, and other Publick Uſes, as ſhall hereafter be agreed on by both Houſes of Parliament: And that if the King doth not give his Aſſent thereunto, then it being done by both Houſes of Parliament, the ſame ſhall be as valid to all Intents and Purpoſes, as if the Royal Aſſent had been given thereunto.

The like for the Kingdom of *Scotland*.

And that his Majeſty give Aſſurance of his conſenting in the Parliament of *Scotland*, to an Act acknowledging and ratifying the Acts of the Conven-

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tion of Estates of *Scotland*, called by the Council and Conserves of the Peace, and the Commissioners for the common Burthens, and assembled the 22d of *June*, 1643. and several times continued since, and of the Parliament of that Kingdom since convened. 22 *Caroli.*

13. That the Lords and Commons in the Parliament of *England* assembled, shall during the space of Twenty Years, from the First of *July*, 1646. Arm, Train, and Discipline, or cause to be armed, trained, and disciplined, all the Forces of the Kingdoms of *England* and *Ireland*, and Dominion of *Wales*, the Isles of *Guernsey* and *Jersey*, and the Town of *Berwick upon Tweed*, already raised both for Sea and Land Service; and shall arm, train, and discipline, or cause to be raised, levied, armed, trained, and disciplined, any other Forces for Land and Sea Service, in the Kingdoms, Dominions, and Places aforesaid, as in their Judgments they shall from time to time, during the said space of Twenty Years, think fit and appoint: And that neither the King, his Heirs or Successors, nor any other but such as shall act by the Authority or Approbation of the said Lords and Commons, shall during the said space of Twenty Years exercise any of the Powers aforesaid.

And the like for the Kingdom of *Scotland*, if the Estates of the Parliament there shall think fit.

That Moneys be raised and levied for the Maintenance and Use of the said Forces for Land Service, and of the Navy and Forces for Sea-Service, in such sort and by such ways and means as the said Lords and Commons shall from time to time, during the said space of Twenty Years, think fit and appoint, and not otherwise. That all the said Forces both for Land and Sea Service, so raised or levied, or to be raised or levied; and also the Admiralty and Navy shall from time to time, during the said space of Twenty Years, be employed, managed, ordered and disposed by the said Lords and Commons, in such sort and by such ways and means as they shall think fit and appoint, and not otherwise. And the said Lords and Commons, during the said space of Twenty Years, shall have Power.

1. To suppress all Forces raised or to be raised, without Authority and Consent of the said Lords and Commons, to the Disturbance of the Publick Peace of the Kingdoms of *England* and *Ireland*, and Dominion of *Wales*, the Isles of *Guernsey* and *Jersey*, and the Town of *Berwick upon Tweed*, or any of them.

2. To suppress any Foreign Forces who shall invade or endeavour to invade the Kingdoms of *England* and *Ireland*, Dominion of *Wales*, the Isles of *Guernsey* and *Jersey*, and the Town of *Berwick upon Tweed*, or any of them.

3. To conjoin such Forces of the Kingdom of *England* with the Forces of the Kingdom of *Scotland*, as the said Lords and Commons shall from time to time, during the said space of Twenty Years, judge fit and necessary; to resist all Foreign Invasions, and to suppress any Forces raised or to be raised against or within either of the said Kingdoms, to the disturbance of the Publick Peace of the said Kingdoms, or any of them, by any Authority under the Great Seal, or other Warrant whatsoever, without Consent of the said Lords and Commons of the Parliament of *England*, and the Parliament, or the Estates of the Parliament of *Scotland* respectively. And that no Forces of either Kingdom shall go into or continue in the other Kingdom, without the Advice and Desire of the said Lords and Commons of the Parliament of *England*, and the Parliament of the Kingdom of *Scotland*, or such as shall be by them appointed for that purpose. And that after the Expiration of the said Twenty Years, neither the King, his Heirs or Successors, or any Person or Persons, by colour or pretence of any Commission, Power, Deputation, or Authority, to be derived from the King, his Heirs or Successors, or any of them, shall raise, arm, train, discipline, employ, order, manage, disband, or dispose of any of the Forces by Sea or Land, of the Kigdoms of *England* and *Ireland*, the Dominion of *Wales*, Isles of *Guernsey* and *Jersey*, and the Town of *Berwick upon Tweed*: Nor exercise any of the said Powers or Authorities in the precedent Articles mentioned and expressed to be during the said space of Twenty Years, in the said Lords and Commons: Nor do any Act or Thing concerning the Execution of the said Powers or Authorities, or any of them, without the Consent of the said Lords and Commons first had and obtained. That after

An. 1646. ter the Expiration of the said Twenty Years, in all Cases wherein the Lords and Commons shall declare the Safety of the Kingdom to be concerned, and shall thereupon pass any Bill or Bills, for the raising, arming, disciplining, employing, managing, ordering, or disposing of the Forces by Sea or Land, of the Kingdoms of *England* and *Ireland*, the Dominion of *Wales*, Isles of *Guernsey* and *Jersey*, and the Town of *Berwick upon Tweed*, or of any part of the said Forces, or concerning the Admiralty and Navy, or concerning the levying of Moneys for the raising, maintenance, or use of the said Forces for Land Service, or of the Navy, and Forces for Sea Service, or of any part of them: And if that the Royal Assent to such Bill or Bills shall not be given in the House of Peers within such time after the passing thereof by both Houses of Parliament, as the said House shall judge fit and convenient, That then such Bill or Bills so passed by the said Lords and Commons as aforesaid, and to which the Royal Assent shall not be given as is herein before expressed, shall nevertheless after Declaration of the said Lords and Commons made in that behalf, have the force and strength of an Act or Acts of Parliament, and shall be as valid to all intents and purposes, as if the Royal Assent had been given thereunto.

Provided, That nothing herein before contained, shall extend to the taking away of the ordinary Legal Power of Sheriffs, Justices of Peace, Mayors, Bayliffs, Coroners, Constables, Headboroughs, or other Officers of Justice, not being Military Officers, concerning the Administration of Justice; so as neither the said Sheriffs, Justices of the Peace, Mayors, Bayliffs, Coroners, Constables, Headboroughs, and other Officers, nor any of them, do levy, conduct, employ, or command any Forces whatsoever, by colour or pretence of any Commission of Array, or extraordinary Command from his Majesty, his Heirs or Successors, without the Consent of the said Lords and Commons.

And if any persons shall be gathered and assembled together in Warlike manner or otherwise, to the Number of Thirty Persons, and shall not forthwith disband themselves, being required thereto by the said Lords and Commons, or Command from them or any of them, especially authorized for that purpose, then such person or persons not so disbanding themselves, shall be guilty and incur the pains of High-Treason, being first declared guilty of such Offence by the said Lords and Commons; any Commission under the Great Seal, or other Warrant to the contrary notwithstanding. And he or they that shall offend herein, to be incapable of any Pardon from his Majesty, his Heirs or Successors, and their Estates shall be disposed as the said Lords and Commons shall think fit, and not otherwise.

Provided, That the City of *London* shall have and enjoy all their Rights, Liberties, and Franchises, Customs and Usages, in the raising and employing the Forces of that City, for the defence thereof, in full and ample manner, to all intents and purposes, as they have or might have used or enjoyed the same, at any time before the making of the said Act or Proposition; to the end that City may be fully assured it is not the intention of the Parliament to take from them any Privileges or Immunities in raising or disposing of their Forces, which they have or might have used or enjoyed heretofore.

The like for the Kingdom of *Scotland*, if the Estates of the Parliament there shall think fit.

14. That by Act of Parliament, all Peers made since the day that *Edward* Lord *Littleton*, then Lord Keeper of the Great Seal, deserted the Parliament, and that the said Great Seal was surreptitiously conveyed away from the Parliament, being the 21*st* day of *May*, 1642. and who shall be hereafter made, shall not Sit or Vote in the Parliament of *England*, without Consent of both Houses of Parliament. And that all Honour and Title conferred on any without Consent of both Houses of Parliament, since the 20*th* of *May*, 1642. being the day that both Houses declared, That the King, seduced by Evil Counsel, intended to raise War against the Parliament, be declared null and void.

The like for the Kingdom of *Scotland*; those being excepted, whose Patents were passed the Great Seal before the 14*th* of *June*, 1644.

15. That an Act be passed in the Parliaments of both Houses respectively, for Confirmation of the Treaties passed betwixt the Two Kingdoms; (*viz.*)

The

The Large Treaty; the late Treaty for the coming of the *Scots* Army into *England*, and the setling of the Garison of *Berwick* of the 29*th* of *November*, 1643. and the Treaty between *Ireland*, of the 6*th* of *August*, 1642. for the bringing of 10000 *Scots* into the Province of *Ulster* in *Ireland*; with all other Ordinances and Proceedings passed betwixt the Two Kingdoms, and whereunto they are obliged by the aforesaid Treaties. 22 *Caroli.*

And that *Algernoon* Earl of *Northumberland*, *John* Earl of *Rutland*, *Philip* Earl of *Pembroke* and *Montgomery*, *Robert* Earl of *Essex*, *Theophilus* Earl of *Lincoln*, *James* Earl of *Suffolk*, *Robert* Earl of *Warwick*, *Edward* Earl of *Manchester*, *Henry* Earl of *Stanford*, *Francis* Lord *Dacres*, *Philip* Lord *Wharton*, *Francis* Lord *Willoughby*, *Dudly* Lord *North*, *John* Lord *Hunsdon*, *William* Lord *Gray*, *Edward* Lord *Howard* of *Escrick*, *Thomas* Lord *Bruce*, *Ferdinando* Lord *Fairfax*, Mr. *Nathanael Fines*, Sir *William Armin*, Sir *Philip Stapleton*, Sir *Henry Vane* Senior, Mr. *William Pierpoint*, Sir *Edward Aiscough*, Sir *William Strickland*, Sir *Arthur Haslerig*, Sir *John Fenwick*, Sir *William Brereton*, Sir *Thomas Widdrington*, Mr *John Toil*, Mr. *Gilbert Millington*, Sir *William Constable*, Sir *John Wray*, Sir *Henry Vane* Junior, Mr. *Henry Darley*, *Oliver St. John*, Esq; his Majesty's Solicitor General, Sir *Denzil Hollis*, Mr. *Alexander Rigby*, Mr. *Cornelius Holland*, Mr. *Samuel Vassel*, Mr. *Peregrine Pelham*, *John Glyn*, Esq; Recorder of *London*, Mr. *Henry Martin*, Mr. Alderman *Hoyle*, Mr. *John Blackiston*, Mr. Serjeant *Wilde*, Mr. *Richard Barrois*, Sir *Anthony Irby*, Mr. *Ashburst*, Mr. *Billingham*, and Mr. *Tolson*, Members of both Houses of the Parliament of *England*, shall be the Commissioners for the Kingdom of *England*, for Conservation of the Peace between the Two Kingdoms; to act according to the Powers in that behalf expressed in the Articles of the Large Treaty, and not otherwise.

That his Majesty give his Assent to what the Two Kingdoms shall agree upon, in prosecution of the Articles of the Large Treaty, which are not yet finished.

16. That an Act be passed in the Parliaments of both Kingdoms respectively, for establishing the joint Declaration of both Kingdoms, bearing date the 30*th* of *January*, 1643. in *England*, and 1644. in *Scotland*; with the Qualifications ensuing:

1*st Qualification.* That the Persons who shall expect no Pardon, be only these following, *Rupert* and *Maurice* Count *Palatines* of the *Rhine*, *James* Earl of *Derby*, *John* Earl of *Bristol*, *William* Earl of *Newcastle*, *Francis* Lord *Cottington*, *George* Lord *Digby*, *Matthew Wren* Bishop of *Ely*, Sir *Robert Heath* Knt. Dr. *Bramhall* Bishop of *Derry*, Sir *William Widdrington*, Col. *George Goring*, *Henry Jermin* Esq, Sir *Ralph Hopton*, Sir *John Biron*, Sir *Francis Doddington*, Sir *Francis Strangeways*, Mr. *Endimion Porter*, Sir *George Radcliff*, Sir *Marmaduke Langdale*, *Henry Vaughan* Esq; now called Sir *Henry Vaughan*, Sir *Francis Windebank*, Sir *Richard Greenvill*, Mr. *Edward Hide*, now called Sir *Edward Hide*, Sir *John Marley*, Sir *Nicholas Cole*, Sir *Thomas Riddill* Junior, Sir *John Culpepper*, Mr. *Richard Lloyd*, now called Sir *Richard Lloyd*, Mr. *David Jenkins*, Sir *George Strode*, *George Carteret* Esq; now called Sir *George Carteret*, Sir *Charles Dallison* Knt. *Richard Lane* Esq; now called Sir *Richard Lane*, Sir *Edward Nicholas*, *John Ashburnham*, Esq; Sir *Edward Herbert*, Knt. Attorney-General, Earl of *Traquaire*, Lord *Harris*, Lord *Ray*, *George Gourdon*, sometime Marquiss of *Huntly*, *James Graham*, sometime Earl of *Montross*, *Robert Maxwel* late Earl of *Nithsdale*, *Robert Dalyel*, sometime Earl of *Carnewarth*, *James Gourdon*, sometime Viscount of *Aboyne*, *Lodowick Linsey*, sometime Earl of *Crawford*, *James Ogley*, sometime Earl of *Airby*, *James Ogley*, sometime Lord *Ogley*, *Patrick Ruthen*, sometime Earl of *Forth*, *James King*, sometime Lord *Itham*, *Alester Macdonald*, *Irwin Younger* of *Drunim*, *Gordon Younger* of *Gight*, *Lesly* of *Auchentoul*, Col. *John Cockram*, *Graham* of *Gorthie*, Mr. *John Maxwell*, sometime pretended Bishop of *Ross*: And all such others as being processed by the Estates for Treason, shall be condemned before the Act of Oblivion be passed. Persons excepted from Pardon.

2*d Qualification.* All Papists and Popish Recusants, who have been, now are, or shall be actually in Arms, or voluntarily assisting against the Parliament or Estates of either Kingdom; and by Name, The Marquiss of *Winton*, Earl of *Worcester*, *Edward* Lord *Herbert* of *Ragland*, Son to the Earl of *Worcester*, Lord *Brudenell*, *Caryl Mollineux* Esq; Lord *Arundel* of *Warder*, Sir *Francis Howard*, Sir *John Winter*, Sir *Charles Smith*, Sir *John Preston*, Sir *Bazil Brooke*, Lord *And*- Papists.

An. 1646. *ley* Earl of *Castlehaven* in the Kingdom of *Ireland, William Sheldon* of *Beely* Esq; Sir *Henry Beddingfield.*

Persons concern'd in the *Irish* Rebellion excepted.

3d *Qualification.* All Persons who have had any hand in the plotting, designing, or assisting the Rebellion of *Ireland*, except such Persons who have only assisted the said Rebellion, have rendered themselves, or come in to the Parliament of *England.*

Persons to be removed from Court.

4th *Qualification.* That *Humphrey Bennet* Esq; Sir *Edward Ford*, Sir *John Penruddock*, Sir *George Vaughan*, Sir *John Weld*, Sir *Robert Lee*, Sir *John Pate*, *John Ackland*, *Edmund Windham* Esq; Sir *John Fitzherbert*, Sir *Edward Lawrence*, Sir *Ralph Dutton*, *Henry Lingen* Esq; Sir *William Russel* of *Worcestershire*, *Thomas Lee* of *Adlington* Esq; Sir *John Girlington*, Sir *Paul Neale*, Sir *William Thorold*, Sir *Edward Hussey*, Sir *Thomas Liddell* Senior, Sir *Philip Musgrave*, Sir *John Digby* of *Nottinghamshire*, Sir *Henry Fletcher*, Sir *Richard Mynhall*, *Lawrence Halsteed*, *John Denham* Esq; Sir *Edmund Fortescue*, *Peter Sainthil* Esq; Sir *Thomas Tildsley*, Sir *Henry Griffith*, *Michael Wharton* Esq. Sir *Henry Spiller*, Mr *George Benyon*, now called Sir *George Benyon*. Sir *Edward Walgrave*, Sir *Robert Owseley*, Sir *John Many*, Lord *Cholmley*, Sir *Thomas Acton*, Sir *Lewis Dives*, Sir *Peter Osborne*, *Samuel Thornton* Esq; Sir *John Lucas*, *John Blaney* Esq; Sir *Thomas Chedle*, Sir *Nicholas Kemish*, *Hugh Lloyd* Esq; Sir *Nicholas Crispe*, Sir *Peter Ricaut.*

And all such of the *Scotish* Nation as have concurred in the Votes at *Oxford*, against the Kingdom of *Scotland* and their Proceedings, or have sworn or subscribed the Declaration against the Convention and Covenant; and all such as have assisted the Rebellion in the *North*, or the Invasion in the *South* of the said Kingdom of *Scotland*, or the late Invasion made there by the *Irish*, and their Adherents, be removed from his Majesty's Councils; and be restrained from coming within the Verge of the Court; and that they may not without the Advice and Consent of both Houses of the Parliament of *England*, or the Estates in the Parliament of *Scotland* respectively, bear any Office, or have any Employment concerning the State or Common-wealth: And in case any of them should offend therein, to be guilty of High Treason, and incapable of any Pardon from his Majesty, and their Estates to be disposed of as both Houses of the Parliament of *England*, or the Estates of the Parliament in *Scotland* respectively shall think fit: And that one full Third Part upon full Value of the Estates of the Persons aforesaid, made incapable of Employment as aforesaid, be employed for the Payment of the Publick Debts and Damages, according to the Declaration.

Persons who deserted the Parliament at *Westminster*, and went to *Oxford*, excepted.

1*st Branch.* That the late Members, or any who pretended themselves late Members of either Houses of Parliament, who have not only deserted the Parliament, but have also sat in the Unlawful Assembly at *Oxford*, called or pretended by some to be a Parliament, and voted both Kingdoms Traytors, and have not voluntarily rendred themselves before the last of *October*, 1644. be removed from his Majesty's Councils, and be restrained from coming within the Verge of the Court; and that they may not, without Advice and Consent of both Kingdoms, bear any Office, or have any Employment concerning the State or Common-wealth. And in case any of them shall offend therein, to be guilty of High-Treason, and be incapable of any Pardon by his Majesty: and their Estates to be disposed as both Houses of Parliament in *England*, or the Estates of the Parliament of *Scotland* respectively shall think fit.

Members who sat at the Parliament at *Oxford*, excepted.

2*d Branch.* That the late Members, or any who pretended themselves Members of either House of Parliament, who have sat in the Unlawful Assembly at *Oxford*, called or pretended by some to be a Parliament, and have not voluntarily rendred themselves before the last of *October*, 1644. be removed from his Majesty's Councils, and restrained from coming within the Verge of the Court; and that they may not without the Advice and Consent of both Houses of Parliament, bear any Office, or have any Employment concerning the State or Common-wealth. And in case any of them shall offend therein, to be guilty of High-Treason, and incapable of any Pardon from his Majesty, and their Estates to be disposed of as both Houses of the Parliament of *England* shall think fit.

Members of Parliament who have deserted, excepted.

3*d Branch.* That the late Members, or any who pretended themselves Members of either House of Parliament, who have deserted the Parliament, and adher'd to the Enemies thereof, and have not render'd themselves before the last

last of *October*, 1644. be removed from his Majesty's Councils, and be restrained from coming within the Verge of the Court; and that they may not without the Advice and Consent of both Houses of Parliament, bear any Office, or have any Employment concerning the State or Common-wealth. And in case any of them shall offend therein, to be guilty of High Treason, and incapable of any Pardon from his Majesty, and their Estates to be disposed as both Houses of Parliament in *England* shall think fit.

Judges and Civil Officers who have deserted the Parliament, excepted.

5th Qualification. That all Judges and Officers towards the Law, Common or Civil, who have deserted the Parliament, and adhered to the Enemies thereof, be incapable of any Place of Judicature, or Office towards the Law, Common or Civil. And that all Serjeants, Counsellors, and Attorneys, Doctors, Advocates, and Proctors of the Law, Common or Civil, either in publick or private; and shall not be capable of any Perferment or Employment in the Commonwealth, without the Advice and Consent of both Houses of Parliament. And that no Bishop or Clergyman, no Master or Fellow of any College or Hall in either of the Universities, or elsewhere; or any Master of School or Hospital, or any Ecclesiastical Person, who hath deserted the Parliament, and adhered to the Enemies thereof, shall hold or enjoy, or be capable of any Preferment or Employment in Church or Commonwealth: But all their said several Preferments, Places or Promotions, shall be utterly void, as if they were naturally dead: Nor shall they otherwise use their Function of the Ministry, without Advice and Consent of both Houses of Parliament: Provided, That no Lapse shall incur by this Vacancy, until Six Months past after notice thereof.

Persons who have born Arms against the Parliament excepted.

6th Qualification. That all persons who have been actually in Arms, against the Parliament, or have counselled or voluntarily assisted the Enemies thereof, are disabled to be Sheriffs, Justices of the Peace, Mayors, or other Head-Officers of any City or Corporation, Commissioners of *Oyer* and *Terminer*, or to sit or serve as Members or Assistants in either of the Houses of Parliament, or to have any Military Employments in this Kingdom, without the Consent of both Houses of Parliament.

7th Qualification. The Persons of all others to be free of all Personal Censure, notwithstanding any Act or thing done, in or concerning this War, they taking the Covenant.

Estates of excepted Persons to be sold to pay Publick Debts; and the manner how.

8th Qualification. The Estates of those persons excepted in the first Three precedent Qualifications, and Estates of *Edward* Lord *Littleton*, and of *William Laud*, late Archbishop of *Canterbury*, to pay publick Debts and Damages.

9th Qualification. 1st Branch. That Two full parts in Three, to be divided of all the Estates of the Members of either House of Parliament, who have not only deserted the Parliament, but have also voted both Kingdoms Traytors, and have not rendred themselves before the first of *December*, 1645. shall be taken and employed for the Payment of the publick Debts and Damages of the Kingdom.

2d Branch. That Two full parts in Three to be divided of the Estates of such late Members of either House of Parliament, as sat in the Unlawful Assembly at *Oxford*, and shall not have rendred themselves before the first of *December*, 1645. shall be taken and employed for the payment of the publick Debts and Damages of the Kingdom.

3d Branch. That one full Moiety of the Estates of such persons, late Members of either of the Houses of Parliament, who have deserted the Parliament, and adhered to the Enemies thereof, and shall not have rendred themselves before the first of *December*, 1645. shall be taken and employed for the Payment of the publick Debts and Damages of the Kingdom.

A Third part of the Forfeited Estates to pay publick Debts and Damages.

10th Qualification. That a full Third part of the Value of the Estates of all Judges and Officers towards the Law, Common or Civil; and all Serjeants, Councellors, and Attorneys, Doctors, Advocates, and Proctors of the Law, Common or Civil; and of all Bishops, Clergymen, Masters and Fellows of any College or Hall in either of the Universities, or elsewhere; and of all Masters and Hospitals, and of Ecclesiastical persons, who have deserted the Parliament, and adhered to the Enemies thereof, and have not rendered themselves before the first of *December*, 1645. shall be taken and employed for the payment of publick Debts and Damages of the Kingdom.

That

An. 1646.

That a full Sixth part on the Value of Three States of the persons excepted in the Sixth Qualification, concerning such as have been actually in Arms against the Parliament, or have counselled or voluntarily assisted the Enemies thereof, and are disabled according to the said Qualification, to be taken and employed for the payment of the publick Debts and Damages of the Kingdom.

Persons not having Estates valued at 200 *l.* and under, to be discharged.

11*th Qualification.* That the Persons and Estates of all Common Soldiers and others of the Kingdom of *England*, who in Lands or Goods be not worth Two Hundred Pounds *Sterling*, and the Persons and Estates of all Common Soldiers and others of the Kingdom of *Scotland*, who in his Lands or Goods be not worth One Hundred Pounds *Sterling*, be at liberty and discharged.

1*st Branch.* This Proposition to stand as to the *English*, and as to the *Scots* likewise, if the Parliament of *Scotland*, or their Commissioners, shall think fit.

2*d Branch.* That the first of *May* last, is now the day limited for the persons to come in, that are comprized within the former Qualification.

To pass an Act for paying the Debts of the Kingdom.

That an Act be pass'd, whereby the Debts of the Kingdom and the Persons of Delinquents, and the Value of their Estates may be known: And which Act shall appoint in what manner the Confiscations and Proportions before-mentioned, may be levied and applied to the discharge of the said Engagements.

And likewise for *Sotland.*

The like for the Kingdom of *Scotland*, if the Estates of the Parliament, or such as shall have Power from them, shall think fit.

An Act to pass, to make no Cessation in *Ireland*, without Consent of both Houses of Parliament.

12. That an Act of Parliament be passed, to declare and make void the Cessation of *Ireland*, and all Treaties and Conclusions of Peace or any Articles thereupon with the Rebels, without Consent of both Houses of Parliament: And to settle the prosecution of the Wars of *Ireland*, as both Houses of the Parliament of *England* have agreed, or shall agree upon, after Consultation had with the Assembly of Divines here.

That the Deputy or Chief Governour, or other Governours of *Ireland*, and the Presidents of the several Provinces of that Kingdom, be nominated by both the Houses of the Parliament of *England*; or in the Intervals of Parliament, by such Committees of both Houses of Parliament, as both Houses of the Parliament of *England* shall nominate and appoint for that purpose. And that the Chancellor, or Lord Keeper, Lord Treasurer, Commissioners of the Great Seal, or Treasury, Lord Warden of the Cinque-Ports, Chancellor of the Exchequer and Dutchy, Secretaries of State, Master of the Rolls, Judges of both Benches, and Barons of the Exchequer, of the Kingdoms of *England* and *Ireland*, and the Vice-Treasurer, and Treasurer at War, of the Kingdom of *Ireland*, be nominated by both Houses of the Parliament of *England*, to continue *Quam diu se bene gesserint*; and in the Intervals of Parliament, by the aforementioned Committees; to be approved or disallowed by both Houses at their next sitting.

The like for the Kingdom of *Scotland*, concerning the Nomination of the Lords of the Privy-Council, Lords of the Session and Exchequer, Officers of State, and Justice-General, in such manner as the Estates of Parliament there shall think fit.

About the Militia of *London.*

13. That the Militia of the City of *London*, and Liberties thereof, may be in the ordering and Government of the Lord-Mayor, Aldermen, and Commons in Council assembled, or such as they shall from time to time appoint, (whereof the Lord-Mayor and Sheriffs for the time being, to be Three,) to be employed and directed from time to time, in such manner as shall be agreed on and appointed by both Houses of Parliament.

That no Citizen of the City of *London*, nor any of the Forces of the said City, should be drawn forth, or compelled to go out of the said City, or Liberties thereof, for Military Service, without their own free Consent.

The Charters of *London* to be confirm'd.

That an Act be passed for granting and confirming of the Charters, Customs, Liberties, and Franchises of the City of *London*, notwithstanding any *Nonuser*, *Misuser*, or *Abuser*.

The Lieutenant of the Tower to be nam'd by the City of *London.*

That the *Tower* of *London* may be in the Government of the City of *London* and the Chief Officer and Governour thereof, from time to time, be nominated and removable by the Common-Council. And for prevention of Inconveniencies which may happen by the long Intermission of Common-Councils, it is desired that there may be an Act, That all By-Laws and Ordinan-

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ces already made, or hereafter to be made by the Lord-Mayor, Aldermen, and Commons in Common-Council assembled, touching the calling, continuing, directing and regulating the said Common-Councils, be as effectual in Law to all intents and purposes, as if the same were particularly enacted by the Authority of Parliament. And that the Lord-Mayor, Aldermen and Commons in Common-Council, may add to, or repeal the said Ordinances from time to time, as they shall see cause.

That such other Propositions as shall be made for the City, for their further Safety, Welfare, and Government, and shall be approved of by both Houses of Parliament, may be granted and confirmed by Act of Parliament.

All things pass'd the Great Seal by the Commissioners, to be declar'd to be of full force.

14. That all Grants, Commissioners, Presentations, Writs, Processes, Proceedings, and other things passed under the Great Seal of *England*, in the Custody of the Lords and others Commissioners appointed by both Houses of Parliament for the Custody thereof, and by Act of Parliament with the Royal Assent, shall be declared and enacted to be of like Force and Effect to all intents and purposes, as the same or like Grants, Commissions, Presentations, Writs, Processes, Proceedings, and other things under any Great Seal of *England* in any time heretofore were or have been: And that for time to come, the said Great Seal, now remaining in custody of the said Commissioners, continue and be used for the great Seal of *England*. And that all Grants Commissions and Presentations, Writs, Processes, Proceedings, and other things whatsoever, passed under or by Authority of any other Great Seal since the 22*d* day of *May Anno Dom.* 1642. or hereafter to be passed, be invalid, and of no effect to all intents and purposes. Except such Writs, Process and Commissions, as being passed under any other Great Seal than the said Great Seal in the custody of the Commissioners aforesaid, on or after the said 22*d* of *May*, and before the 28*th* day of *November*, *Anno Dom.* 1643. were afterwards proceeded upon, returned into, or put in use in any of the King's Courts at *Westminster*; and except the Grant to Mr. Justice *Bacon* to be one of the Justices of the *King's Bench*; and except all Acts and Proceedings by virtue of any such Commissions of Goal-Delivery, Assize, and *Nisi prius*, or *Oyer* and *Terminer* passed under any Great Seal than the Seal aforesaid, in the Custody of the said Commissioners, before the first of *October*, 1642.

And that all Grants Offices, Lands, Tenements, or Hereditaments, made or passed under the Great Seal of *Ireland*, unto any Person or Persons, Bodies Politick or Corporate, since the Cessation made in *Ireland* the 15*th* day of *September* 1643. shall be null and void. And that all Honours and Titles conferr'd upon any person or persons in the said Kingdom of *Ireland*, since the said Cessation, shall be null and void.

Whilst the said Commissioners with these Propositions were on their Journey, Sir *Peter Killigrew*, whom the Two Houses had sent to his Majesty with a Letter, desiring that he would give Order to the Marquess of *Ormond* to surrender up *Dublin*, and all other Garrisons in *Ireland*, to the use of the Parliament, returned with his Majesty's Answer as followeth.

Charles R.

HIS Majesty having considered the Letter of the 6*th* Instant, sent to him from the Lords and Commons in Parliament assembled, thinks fit to return this Answer, That as none can be more deeply affected than his Majesty with the past and present Calamities of his Kingdom of *Ireland*, nor is so nearly concerned in the Preservation of his Majesty's Protestant Subjects there; so he will be most ready to apply all future Remedies for their Deliverance: And as to the particulars of delivering forthwith of the City and Castle of *Dublin*, the Town of *Drogheda*, and all other Garrisons in that Kingdom which are held by his Majesty's Authority, into the hands of such as the Parliament shall appoint; his Majesty being most willing that all those places may be so disposed, as they may be best secured from the Rebels, and serve most for the Safety of his good Subjects, doth again earnestly press, the Propositions so long expected, for the Peace of that and his other Kingdoms, may be hastned to him, expecting that they will contain the readiest means, not only of preserving those places which are already in his power, but likewise

An. 1646. of reducing the rest of that Kingdom possessed by the Rebels, to his Obedience: And as his Majesty knows not a more speedy and effectual way for attaining those Ends, by removing all differences betwixt his Majesty and the Two Houses of Parliament; so nothing will be more easily endeavoured by his Majesty, than that a solid and lasting Peace be forthwith established.

Newcastle, the 11*th* of *July*, 1646.

July 17. Monsieur *Beleiure*, Ambassador Extraordinary from the Crown of *France*, being lately arrived, had this day Audience in both Houses, being received in great State: The Substance of what he delivered, was, 'That he had in Command from the Queen Regent and the King of *France*, to interpose and endeavour a good Reconciliation and Composure of the Differences between 'his Majesty of *Great Britain*, and the Parliament of *England*; but understanding in what forwardness they were, and that Propositions were already dispatch'd to his Majesty, he had no more to do at present with the Parliament, but to take his Leave of them, and to desire their Pass to go unto 'the King, and to the States of *Scotland*.

Which Business being taken into Consideration by the House of Commons, *July* 22. a Letter was agreed upon in Answer to the said Ambassador, to this effect: 'That they took in very good part, and received with all Thankfulness, the good Affections and Intentions of the *French* Crown to these Kingdoms, and his willingness to see these Troubles over; for ending whereof, 'they have done their utmost, and shall still continue so to do: But they 'could not agree, That any Foreign State interpose in the present remaining 'Differences; nor that his Majesty of *France* in particular, by his present Extraordinary Ambassador, should so do. But for the Pass desired, they did 'agree to it, That the said Ambassador pass freely without any Interruption or 'Disturbance, and be used with all Respect and Civility, according to his 'Quality.

Whereunto the Lords concurred, and the Pass was signed by the Speakers of both Houses: And understanding that the said Ambassador had taken his Journey from *London* the Night before, towards the King, without the Answer or Pass from the Houses, the same was sent Post after him, by Sir *Peter Killigrew*.

July 28. His Highness the Duke of *York* came to *London* from *Oxford*, being met by the Earl of *Northumberland*, and some other Lords, and divers Gentlemen, who conducted him to St. *James*'s, where the Earl of *Northumberland* discharged all his *Oxford* Retinue and Servants that came along with him, and appointed others to attend him.

The Lady *Dalkeith* carries the Princess *Henrietta* into *France*.

The same day the Two Houses had notice, That the Young Princess *Henrietta*, who was taken at the Surrender of *Exeter*, was privately convey'd away on the *Friday* before, by the Countess of *Dalkeith*, from *Oatlands*, divers of the Gentlewomen that attended her, being left behind, and not knowing of her Removal (so discreetly it was manag'd) till they received the following Letter without date from the said Countess, who retreated with her *Fair Charge* into *France* to the Queen.

The Lady *Dalkeith*'s Letter to the Women who attended on the Princess *Henrietta*.

Gentlewomen,

YOU are witness with what patience I have expected the pleasure of the Parliament; I have found it impossible to obtain any Justice to her Highness, or Favour to my self or any of you; I was no longer able to keep her, which was the Cause I have been forced to take this upon me: Be pleased to repair to his Majesty all of you, or as many of you as think fit; I then am sure you will enjoy the Blessing of serving her Highness, which believe me is heartily wish'd by me. It will be a great mark of your Faithfulness and Kindness to your Mistress, to conceal her being gone, as long as you can; and it will make your past Service now consider'd, and that to come more acceptable. And trust me, your divulging of it will be of no Advantage to you. Thus you may do it; seeming to expect her the day following after the Receit of this Letter; and then cause to deliver this other to Mr. *Marshall*, after you have read it, and tell him, which is Truth, That I have removed her Highness to a better Air, whither you may, if you will, follow her. All

her

her Wearing Cloaths, Woollen or Linnen, you may distribute amongst you: The little Plate she hath, Mrs *Case* will have a care of: Her other things are to be continued with Mr. *Marshall.* I am so confident you will behave your selves kindly and faithfully to your Mistress, that you may yet more oblige me to be what you shall always find me; which is to you all,

For her Highness the Princess Henrietta *her Gentlewomen.* *A very hearty kind Friend,* A. Dalkeith.

The Commissioners from the Parliament with the Propositions, arrived at *Newcastle* on *Thursday July* 23. and had notice that Night, That it was his Majesty's pleasure they should attend him the next day in the Afternoon. Accordingly, about Two of the Clock, they, and the Earls of *Argyle* and *Lowden*, as Commissioners for *Scotland*, went in their Coaches to the Court: The King came forth into a large Chamber, which was made use of for the Chamber of Presence, and there stood at the end of a Table until the Commissioners came, and each of them kiss'd his Majesty's Hand, as likewise did Mr. *Marshall* the Minister: Then the King will'd them to follow him into another Room; where the Earl of *Pembroke* acquainted his Majesty, That they had brought Propositions from the Parliament, and were humbly to desire his Answer; and so desired Mr. *Goodwin* to read the Propositions: But first the King demanded if they had any Power to Treat? To which they answering, *No*; his Majesty replied, *Then, saving the Honour of the Business, an honest Trumpeter might have done as much.* Then Mr. *Goodwin* read the Propositions; to which his Majesty hearkened attentively, and when he had done, said, *Gentlemen, I hope you do not expect a very speedy Answer, because the Business is of high Concernment:* The Earl of *Pembroke* answered, That *they were limited not to stay above Ten Days after their coming to that Town, and must then return*: His Majesty replied, That *he would dispatch them in convenient time*: and so for the present dismiss'd them. On the *Sunday* following, Mr. *Marshal* preached in the Forenoon before his Majesty, taking for his Text that of *Isaiah* 32. 17. *And the work of Righteousness shall be Peace, and the effect of Righteousness, quietness and assurance for ever.*

The Commissioners of Parliament arrive at *Newcastle* with the Propositions.

The Commissioners several times attended his Majesty during their stay there, and pressed him to agree to the Propositions: And amongst the rest, the Lord *Lowden*, Chancellor of *Scotland*, made this following Speech.

Your Majesty was pleased on *Monday* last to call the Lords of your Council of *Scotland*, and Committee, to acquaint them with the Propositions, and told them before you would deliver your Answer, you would make the same known to them: The time assigned to the Commissioners stay is so short, and the Consequence of your Majesty's Answer of so great Importance, either for the Preservation or Ruine of your Crown and Kingdoms, as we could not be answerable to God, nor to that Trust reposed in us, unless we represent to your Majesty how necessary it is that your Majesty assent to the Propositions, as the Condition of Affairs now stand in so great extremity; and that the danger and loss of your Refusal will be remediless, and bring on a sudden Ruin and Destruction.

The Lord Chancellor of *Scotland* his Speech to the King in *Newcastle, July* 1646.

I shall begin first with the last, which is the Danger, and shall next speak a word of the Remedy.

The Differences betwixt your Majesty and your *Parliament* (which no Man knoweth better than your Majesty's self) are grown to such a height, that after many bloody Battels, the *Parliament* having your Majesty, all the Forts, Garisons, and Strong-holds in their hands, having your Majesty's Revenue, Excise, Assessments, Sequestrations, and the Authority to raise all the Men and Money in the Kingdom; and having, after many Victories and great Successes, a strong Army on Foot, are now in such a posture for Strength and Power, they are in a capacity to do what they will both in Church and State. And some are so afraid, and others so unwilling to submit themselves to your Majesty's Government, that they desire not you, nor any of your Race, longer to reign over them: But the People are so wearied of the War, and great burthens they do groan under, are so loth to have Monarchical Government destroyed, that they dare not attempt to cast it totally off, till once they

send

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send Propositions of Peace to your Majesty, lest the People (without whose concurrence they are not able to carry on their design) should fall from them: But after so great War and Trouble, that they may have a perfect Security from Opposition and Arbitrary Power, they have resolved upon the Propositions which are tendered to your Majesty, as that without which the Kingdom and your People cannot be in Safety, and that there cannot be a firm Peace upon any other Terms.

Your Majesty's Friends in the Houses, and the Commissioners from *Scotland*, (after much wrestling) did consent to the sending of those Propositions, or to be rated the Hinderers of Peace, or otherwise to send no Propositions at all.

And now, Sir, if your Majesty (as God forbid) shall refuse to assent to the Propositions, you will lose all your Friends in the Houses, lose the City, and all the Country; and all *England* will join against you as one Man: They will process and depose you, and set up another Government; they will charge us to deliver your Majesty to them, and to render their Garisons, and remove our Armies out of *England*; and upon your Majesty's Refusal of the Propositions, both Kingdoms will be constrained for their mutual Safety, to agree and settle Religion and Peace without you; which (to our unspeakable grief) will ruin your Majesty and your Posterity, if your Majesty refuse our faithful Advice (who desire nothing on earth more than the preservation of your Majesty's Royal Throne.) And if your Majesty lose *England* by your Wilfulness, you will not be permitted to come and reign in *Scotland*.

Sir, we have laid our hands upon our hearts; we have asked Counsel and Direction from God, and have had our most serious thoughts upon the Remedy, but can find no other to save your Crown and Kingdoms, than your Majesty's assenting to the Propositions, and dares not say but they are higher in some things, (if it were in our Power and Option to remedy) than we approved of: But when we see no other means for curing the distempers of the Kingdoms, and closing the Breach between your Majesty and your *Parliament*, our most humble and safe Advice is, your Majesty will be graciously pleased to assent to them, as the only way to establish your Throne; because your Majesty shall be thereby received again in your *Parliament*, with the Applause and Acclamations of your People; by your Royal Presence all Friends will be strengthned, and all Enemies (who fear nothing so much as the granting the Propositions) will be weakned; your Majesty will have a fit Opportunity hereafter to offer such Propositions as you and your *Parliament* in Wisdom shall think fit for your Crown and Kingdom; the Armies will be disbanded, and your People finding the sweet Fruit of a peaceable Government, you will gain their Hearts and Affections, and that will be your Majesty's Strength and Glory, and will recover all that you have lost in this Time of Tempest and of Trouble.

And if it please God to incline your Royal Heart to this Advice of your humble and faithful Servants, who next to the Honour and Service of God, esteem nothing more precious than the Safety of your Person and Crown, our Actions shall make it appear, That we esteem no hazard too great for your Majesty's Safety; and that we are willing to sacrifice our Lives and Fortunes for establishing your Throne and just Right.

But his Majesty did not think this Importunity sufficient to prevail upon his Consent; and return'd his Royal Answer touching the said Propositions, in a Paper delivered to the said Commissioners, *August* the 1*st*, in these Words:

Charles Rex,

His Majesty's Answer to the Propositions, *Aug.* 1. 1646.

THE Propositions tender'd to his Majesty by the Commissioners from the Lords and Commons assembled in the Parliament of *England* at *Westminster*, and the Commissioners of the Parliament of *Scotland*, (to which the Houses of Parliament have taken twice so many Months for deliberation, as they have assigned Days for his Majesty's Answer) do import so great Alterations in Government both in the Church and Kingdom, as it is very difficult to return a particular and positive Answer, before a full debate, wherein these Propositions, and the necessary Explanation, true Sense and Reasons thereof,

thereof, be rightly weighed and understood; and that his Majesty upon a full view of the whole Propositions, may know what is best, as well as what is taken away and changed. In all which he finds (upon discourse with the said Commissioners) that they are so bound up from any capacity either to give Reasons for the Demands they bring, or to give ear to such Desires as his Majesty is to propound, as it is impossible for him to give such a present Judgment of, and Answer to these Propositions, whereby he can answer to God that a safe and well-grounded Peace will ensue (which is evident to all the World can never be, unless the just Power of the Crown, as well as the Freedom and Propriety of the Subject, with the just Liberty and Privileges of the Parliament, be likewise settled:) To which end his Majesty desires and proposeth to come to *London*, or any of his Houses thereabouts, upon the Publick Faith and Security of the Two Houses of Parliament, and the *Scotch* Commissioners, That he shall be there with Freedom, Honour, and Safety: whereby his Personal Presence he may not only raise a mutual Confidence betwixt him and his People, but also have these Doubts cleared, and these Difficulties explained unto him, which he now conceives to be destructive to his just Regal Power, if he shall give a full Consent to these Propositions, as they now stand. 22 *Caroli.*

As likewise, that he may make known to them such his reasonable Demands, as he is most assured will be very much conducible to that Peace which all good Men desire and pray for, by the setling of Religion, the just Privileges of Parliament, with the Freedom and Propriety of the Subject: And his Majesty assures them, That as he can never condescend unto what is absolutely destructive to that just Power which by the Laws of God and the Land he is born unto; so he will chearfully grant and give his Assent unto all such Bills, at the desire of his Two Houses, or reasonable demands for *Scotland*, which shall be really for the Good and Peace of his People, not having regard to his own particular (much less of any body's else) in respect of the Happiness of these Kingdoms. Wherefore his Majesty conjures them as Christians, as Subjects, and as Men who desire to leave a good Name behind them, that they will so receive and make use of this Answer, that all Issues of Blood may be stopped, and these unhappy Distractions peaceably setled.

Newcastle, Aug. 1. 1646.

To the Speaker of the House of Peers pro Tempore, *to be communicated.*

POSTSCRIPT.

Upon Assurance of a happy Agreement, his Majesty will immediately send for the Prince his Son, absolutely expecting his perfect Obedience to return into this Kingdom.

With this Answer, the Commissioners having taken leave of his Majesty, on *Sunday*, *Aug.* 2. began their Journey for *London*, and came thither on *Monday Aug.* 10. and on the 12*th* reported their Proceedings, and his Majesty's Answer to the House of Commons, and had the Thanks of that House. The Commissioners come back to *London.*

About this time Mr. *Henderson* a *Scotch* Minister, came to *Newcastle*, and much importun'd his Majesty to pass the Propositions: But his Majesty affirming that he could not in Conscience consent to several things therein, especially to the Change of Church-Government from the Ancient Order of *Episcopacy*, several Papers pass'd between his Majesty and the said *Henderson*; which shew his Majesty's great Abilities in those Controversies, being at a time when he could not have the Assistance of any of his Chaplains. Which Papers being extant in his Majesty's Works, we thereunto refer the Reader. The said Mr. *Henderson* returning from *Newcastle* to *Edinburgh*, was there taken sick, and died about the End of *August*, much lamented by those of his Party; being indeed a Person of great Learning and Abilities, and more Moderation than many of them. Of the Papers that passed between his Majesty and *Henderson.* *Henderson* dies *Aug.* 1646.

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CHAP. XI.

Transactions with the Scots, *touching the Removal of their Forces out of* England, *and the Disposal of his Majesty's Person, and other intervening Occurrences, to the bringing of his Majesty to* Holmby-*House.*

THE Commissioners for the Kingdom of *Scotland* presented this day the following Paper to the House of Peers:

Aug. 12. The *Scots* Paper to the Parliament touching the Return of their Army, *&c.*

THE same Principles of Brotherly Affection which did induce both Kingdoms to a Conjunction of their Councils and Forces in this Cause, move us at this time to apply our selves to the most real and effectual ways, which tend to a speedy Conclusion and amicable Parting, and to the prevention of Misunderstandings between the Kingdoms in any of these things, which peradventure our common Enemies look upon with much joy, as occasions of Differences. For this end we have not taken notice of the many base Calumnies and execrable Aspersions cast upon the Kingdom of *Scotland* in printed Pamphlets, and otherwise; expecting from the Justice and Wisdom of the Honourable Houses, that they will of themselves take such course for the vindication of our Nation and Army, as the Estates of *Scotland* have shewed themselves ready to do for them in the like case.

Upon the Invitation of both Houses, the Kingdom of *Scotland* did chearfully undertake, and hath faithfully managed their Assistance to this Kingdom, in pursuance of the ends express'd in the Covenant: And the Forces of the common Enemy being (by the blessing of God upon the joint Endeavours of both Kingdoms) now broken and subdued; a foundation being also laid, and some good progress made in the Reformation of Religion, which we trust the Honourable Houses will, according to the Covenant, sincerely, really, and constantly prosecute till it be perfected: That we may manifest to the Consciences of our Brethren, and to all the World, how far it is, and ever was, from the thoughts and intentions of the Kingdom of *Scotland*, to make use of their Army in this Kingdom to any other Ends besides these express'd in the Covenant; and how much they desire the preserving and perpetuating of Peace and Amity between the Kingdoms, and the easing of the Burdens and Pressures of this Nation; we do in their Name declare, that they are willing forthwith to surrender the Garisons possessed by them in this Kingdom (which they did keep for no other End but the Safety and Security of their Forces) and without delay to recall their Army; reasonable Satisfaction being given for their Pains, Hazards, Charges, and Sufferings; whereof a competent Proportion to be presently paid to the Army before their disbanding, and Security to be given for the Remainder, at such times hereafter as shall be mutually agreed on.

If any Forces shall be kept on foot in either Kingdom, we desire that they be put under the Command of such persons as are known to be zealous for Reformation and Uniformity in Religion, and most tender of the Peace of the Kingdoms, and against whom neither of the Kingdoms may have any just grounds of Jealousy. And whereas the Kingdom of *Scotland* hath been invaded, and is still invested by Forces from *Ireland*, it is expected that the Honourable Houses, according to the large Treaty, will give such Assistance and Supply to the Kingdom of *Scotland*, as may speedily reduce those Rebels to obedience. And to the end there may in all things be a good understanding between the Kingdoms, we further propose, That whereas Propositions for a safe and well-grounded Peace have been lately sent to the King in the Name of both Kingdoms, and for obtaining his Majesty's Consent thereunto, the utmost Endeavours of the Kingdom of *Scotland* have not been wanting, as may appear by the many Addresses, Petitions, and Solicitations to that end, from the Army, the Lords of his Majesty's Privy-Council, the Committees of Estates,

and the General Assembly of the Church; the Success whereof hath not answered our Wishes and Hopes, his Majesty (to our unspeakable grief) not having yet agreed to the Propositions: We desire that the Houourable Houses may be pleased to take such course, as by the joint Advice of both Kingdoms, engaged in the same Cause, labouring under the same Dangers, and aiming at the same Ends, we may consult and resolve what is next to be done, for the Peace and Safety of these Kingdoms, both in relation to his Majesty, and each Kingdom to the other; being confident that the result of our joint Consultations will be such as shall provide for the present and future Security of the Kingdoms, and strengthen their Union between themselves. — 22 Caroli.

By Command of the Commissioners for the Parliament of Scotland.

John Cheifly.

The Lords returned the *Scots* Commissioners Thanks, and the next day communicated the said Paper to the Commons at a Conference; and the day following, the House of Commons taking the same into Consideration, ordered, That the Sum of a Hundred thousand Pounds should be provided for the Advance of the *Scots* Army into *Scotland*; and voted, That the House did very well and thankfully approve of their good Affections and Zeal to this Kingdom, and their Offer to deliver up our Garisons, and depart the Kingdom: As also that their Arrears should be Audited, and in convenient time paid, according to the large Treaty; and ordered a Committee to acquaint the *Scotch* Commissioners with these Votes.

The *Scots* Commissioners in a Letter to the House of Commons, delivered in an Account of the Arrears of their Army: The Substance of which, together with the Estimate of the House of Commons of Moneys paid unto them, the Exceptions of the *Scots* to that Estimate, the Parliament's Exceptions to their Account, and the *Scots* Reply for Satisfaction, take as follows. — *Aug.* 18.

The *Scots* do demand about Two Millions from the 18*th* of *January*, 164¾, to the 18*th* of *September*, 1646. having brought into this Kingdom 1800 Foot, 2000 Horse, and 1000 Dragoons: And acknowledge to have received near 700000*l.* in Moneys, Provisions, Assesments, Quarters, and otherwise. — The *Scots* Account.

The Parliament made an Estimate of 1400000 *l.* paid unto them: The Particulars whereof, with the Exceptions of the *Scots* thereunto, do here follow in order.

1. Paid by the Committee of *Goldsmiths-Hall* to the *Scots* Army from *October* the 6*th* 1643. to the 1*st* of *November* 1645. the Sum of ——— } 220629*l.*

To this the *Scots* Reply,

That in this Account are comprized several Provisions sent unto them, which were never delivered; some part taken by the Enemy at Sea; some part spoiled and made useless; besides, no Freight or Damage in Carriage is to be paid the Soldier.

2. Money and Lead delivered by the Committee of both Kingdoms at the Siege of *York*, amounting to ——— } 9000 *l.*

Scots.] This is granted.

3. Levied upon the County of *York*, for the use of the *Scots*, during the Siege of that City, and in the space of Four Months, after the Rate of 20000*l. per* Month, the Sum of ——— } 88000 *l.*

Scots.] Deny that they ever received near that Sum; it being evident by daily Experience, that Money so collected, doth never answer the Proportion of the Assesments.

4. Paid more to the *Scots*, as in the Parliament's Estimate is expressed, ——— } 10000 *l.*

Scots.] This by a Mistake is twice charged; it being a part of the same Money formerly reckon'd as received from the Committee of *Goldsmiths-Hall*.

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5. Moneys raised out of Coals in one year to the value of 53000*l.* And afterwards out of Coals 50000*l.* And paid by the Excise 16385*l.* 12*s.* 4*d.* in all amounting to } 119385*l.* 12*s.* 4*d.*

Scots.] These Moneys amounting to near 120000*l.* did in truth arise only to 80000*l.* because the Coals in the 1*st* year did arise to 10*s. per* Chaldron, at which Rate they are still Estimated to the *Scots*, when the years following they had but 5 *s. per* Chaldron. So that here is to be a Deduction of near 40000*l.*

6. For Moneys, Cloaths, Arms, and Provision, during the Siege of *Newark*, ——— ——— ——— ——— } 99054*l.* 12*s.* 11*d.*

Scots.] With the Moneys here mentioned, they discharged their Quarters, therefore not to be charged in this Account; by which there will be deducted 50000*l.*

7. Paid to them by the Lord-Mayor of *York*, ——— ——— ——— 1700 *l.*

Scots.] This is acknowledged.

8. For Compositions with Delinquents since they entred the Town of *Newcastle*, and planted there their Garison ——— ——— } 20000 *l.*

Scots.] There was no Composition taken, but only what the Officers received to save the Houses of the Inhabitants from Plunder; which cannot be accounted as part of the Pay of the Army, since the Town was taken by Storm.

9. For Free Quarter and Billet taken by them, from *Jan.* 18. 1643. to *Sept.* 18. 1646. at the Rate of Half-Pay; and then in case they were and continued the Number agreed (besides the 4 Months before charged with the Sum of 88000 *l.*) the Sum of— } 452000 *l.*

Scots.] The Total Sum for 28 Months, will not amount to more than 432000 *l.* Besides, it is to be considered, that only the half of the *Soldiers* Pay is to be allowed for Quarters, and but a *Third* part of the *Officers*, which makes a great Deduction. Moreover it is known, that the first 7 or 8 Months after the Entry of the *Scotish* Army into this Kingdom, they received very little Provision, the Country being in the Enemies Power, so that half of their Provision did come Monthly from *Scotland*, notwithstanding the Provision received from *London*.

10. For several great Sums assessed and levied upon persons for the 25*th* Part, and Townships in this Kingdom ——— ——— ——— } 403000*l.*

Scots.] These Assesments were only made in the Winter-time, and then the Quarters were deducted out of them, and but a small proportion will be found above the Quarters and Billetings of the Army: So that this and the precedent Article cannot consist together.

11. For several great proportions of Arms, Ammunition, and Provisions of War, ——— ——— ——— ——— ——— ——— ——— } 40000*l.*

So that the whole received by our Brethren the *Scots* for this Expedition, doth amount unto } 1462768*l.* 5*s.* 3*d.*

Scots.] Arms and Ammunition are not to be allowed as part of the Army's Pay: The Kingdom of *England* by the Fourth Article of the Treaty is obliged to repay the Kingdom of *Scotland* the Train of Artillery, and other Necessaries ready to march, which is all they are to find. Again, it is impossible that the Arms and Ammunition deliver'd should come near that Sum.

So that these Exceptions being considered, the *Scots* have only as yet received the Sum of ——— ——— ——— } 700000 *l.*

12. The Honourable House of Commons hath not added what hath been taken from the People of *England* in Merchandize, Houshouldstuff, Horses, Sheep, and other Cattle and Goods, which will exceed any Two of the former Sums.

Scots.] For Plunder, it is most certain that many of the *English* pretending themselves to be *Scots*, have been active in plundering in the Country; greater Care hath been taken for suppressing Disorders in the *Scots* Army in *England*, than hath been in the Army in *Scotland*: Some have been put to Death for pilfering to the value but of Two Shillings. More-

22 Car. I.

Moreover, as the House of Commons charged the aforementioned Receipts, so likewise they took Exceptions to several great Sums of Money in the *Scots* Account, amounting to the Sum of ——— ——— ——— } 667415*l.* 6*s.* 8*d.*

Which they conceive ought not to be demanded of the Kingdom of *England*, for these Reasons:

1. For the Sum of 87415*l.* 6*s* 8 *d.* laid out for the Train of Artillery, the House of Commons do conceive it is to be done at the same Rate as if it had been raised for the use of the Kingdom of *Scotland*.

2. For the Sum of 30000*l.* and 330000*l.* it is provided by the Fifth Article in the Treaty, That if the *Scots* have just Cause to demand further Satisfaction from the Parliament of *England*, that then they have Satisfaction from them, when this Demand appeareth just.

3. For the Sums of 40000*l.* and 120000*l.* for the Lord *Calendar*'s Army altho' they were invited by the Parliament, yet no Establishment was setled; and moreover it is urged, that their Number did not increase the Army of General *Leven* above the Number of 21000 Men effective.

4. The 60000*l.* for Interest is excepted against by the Parliament, because the Moneys from them, with Free Quarter and Billet, and other Moneys from time to time, supplied their Pay in season, according to the Treaty.

To these Particulars the *Scots* answered;

1. That the Charges of the levying and bringing together the Forces, with the Train of Artillery, was at the same Rate as if the Kingdom of *Scotland* had raised the Army for their own Affairs. The Charges were delivered to the *English* Commissioners, who did acquaint the House of Commons with it. It cannot be expected that the Kingdom of *Scotland* should entertain an Army for *England* at lower Rates than if it had been raised for their own Affairs: Moreover, it being in the Winter-Season when the Army was levied, it was the more chargeable, so that every Soldier had over and above the Publick Allowance 10 *s.* a Man, which is not at all charged in the Account.

2. The Kingdom of *Scotland* did accept of 30000*l.* to be paid by the Month, and would demand no more for the present, in regard of the great Burthens of the Kingdom of *England*; and superseded the rest till the Peace of the Two Kingdoms was setled: It being provided by a general Clause in the Fifth Article in the Treaty, *That the Kingdom of* England *shall make due Recompence to the Kingdom of* Scotland, *by way of Brotherly Assistance for what they shall have just Cause to demand.* And the Justice of their Demand will appear very reasonable, when compared to the meanest Rates of any Army in *England*, or the *Scots* Army in *Ireland*; according to which the Committee of both Houses did offer to pay this Army, in their Paper delivered to the Convention of the States of *Scotland*, *Aug.* 19. *Anno* 1643.

3. The Earl of *Calendar*'s Army was invited into this Kingdom by both Houses, who therefore cannot in Justice refuse to pay them. And whereas it is alleged that the Number of the Earl of *Calendar*'s Army did not increase the Earl of *Leven*'s above the Number of 21000 Men; it was often desired that a Muster of them might have been taken by the Honourable Houses, when both Armies were in *England*; which not being done, they cannot but admit the Musters taken by such as are intrusted by the Kingdom of *Scotland* for that purpose, and that in the strictest way there used. Besides, the Forces of the Earl of *Calendar* were not called in as Recruits, but as a distinct Army, composed of their own Regiments, as a General and other Officers, with a Train of Artillery, to block up *Newcastle*, whilst the Army commanded by the Earl of *Leven* was lying before *York*.

4. The Money paid by the Parliament, and the Free Quarters taken by the *Scots* being reckoned, the Committee residing with them are able to make it appear that a greater Sum is due for Interest, than hath been demanded.

Scots willing to accept a Sum in Gross.

However, the *Scots* offered, That they would be content to accept of a Sum in Gross for a full Discharge of their Arrears; whereupon the House of Commons ordered a Committee to Treat with the *Scots* Commissioners, to know what Sum they demand in Gross, and how much thereof they desire upon their Advance, and when the other, and at what time of Payment.

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Scots demand 500000 *l.*

Which Committee the next day reported to the House, That the *Scots* Commissioners desired 500000 *l.* whereof 300000 *l.* to be paid upon the Advance of their Army, and the other 200000 *l.* at the end of Twelve Months: But in respect of the present Necessity of this Kingdom, they would be content with the least proportion that might supply the Necessities, and give Satisfaction to their Army; and therefore would accept of 200000 *l.* at their Advance out of the Kingdom, and the other 300000 *l.* at the end of Twelve Months as aforesaid.

Aug. 21. Commons vote 200000 *l.* for the *Scots.*

The Commons took into Consideration these Demands of the *Scots*; and after a hot and tedious Debate (which lasted almost the whole day) they pass'd a Vote, That the Sum of 200000 *l.* should be advanc'd for the *Scots* Army, according to the desire of the *Scots* Commissioners; *viz.* 100000 *l.* to be paid at the Advance of the *Scotish* Forces out of this Kingdom; and the other 100000 *l.* to be paid by 50000 *l.* at a time; *viz.* 50000 *l.* within Three Months after Payment of the first 100000 *l.* and the other 50000 *l.* to be paid at Nine Months after the second Payment. And for more certainty, the House declared and ordered, That the first 100000 *l.* should be paid by the 15*th* of *September* next. And that for the remaining 300000 *l.* demanded, the *Scots* shall have the Publick Faith of this Kingdom for the Payment thereof, deducting out of the same the Accounts of the Country for their Free Quarter; and that the Commissioners of *Scotland* should be desired to appoint the Place for Payment of the first 100000 *l.*

Then the House took into Consideration how and by what means these Great Sums should be raised; and referred it to the Committee of *Goldsmiths-Hall* to Treat with the several Companies of the City of *London*, and others, for the present Advance of 100000 *l.* and to propound Securities for Repayment.

Aug. 27.

Upon further Debate touching Satisfaction for the *Scots*, after much time spent therein by the House of Commons, the Question was put for 200000 *l.* more than what was formerly ordered them; but the same being carried in the Negative, the Question was then put for 100000 *l.* more, and agreed unto; and the *Scots* Commissioners ordered to be made acquainted therewith.

But the said Commissioners on the 1*st* of *September* presenting to the House a Paper, earnestly pressing that 400000 *l.* might be allowed them in Gross; whereof 200000 *l.* to be paid them in *Newcastle* before their Retreat into their own Kingdom, and the other 200000 *l.* more at convenient times: The House spent much time in Debate thereof; and at last concluded to allow them the said Sum of 400000 *l.* in Gross; and therefore voted that the Sum of 100000 *l.* besides the 300000 *l.* formerly voted, shall be advanced for the *Scotish* Army: But for the time of Payment, adhered to their former Votes; *viz.* That the first 100000 *l.* should be paid before the *Scots* going; another 100000 *l.* at Two Payments, Three Months, and Nine Months after; then 100000 *l.* at Nine Months more; and this last 100000 *l.* at Twelve Months after that.

The House of Commons vote that the *Scots* shall have 400000 *l.* *Sept.* 1.

Sept. 2.

The *Scots* Commissioners gave in a Paper of Reasons, why their Army could not advance into their own Kingdom, or leave their Quarters in *England*, without 200000 *l.* were presently paid them: And the House of Commons having debated the same, voted they should have so much at present, if it could be raised; and to that purpose ordered that a Common-Council should be called in *London* on *Monday* next; and a Committee was appointed to go thither then, and desire the Citizens to advance the said Sum; which was done accordingly, and the Excise, Delinquents Lands, and Bishops Lands were proposed as Security for the Repayment of the said Money; for which end a Committee of the Common-Council was nominated to meet and treat with the said Committee of the House of Commons touching that matter: And on *Wednesday Sept.* 9. the Common-Council delivered their Answer in writing in these words:

Answer of the Common-Council, touching raising 20000 *l.* for the *Scots*, *Sept.* 9.

THat they having received a Message from the Honourable House of Commons, concerning the speedy Advance of 200000 *l.* they humbly conceive the best way for the advancing thereof, will be, That such as have formerly contributed upon the Propositions for Horse, Moneys and Plate,

may

may advance the like Sum upon this Proposition, and be secured for both Sums with Interest at 8 *l.* *per Cent.* out of the Receipts of the Grand Excise in course, and the Sale of Bishops Lands: Which Expedient if the Honourable House shall think fit to agree to, then they will use their Endeavours for the speedy Advance of the said 200000 *l.* Which the House of Commons accepted, and returned the Common-Council Thanks.

22 *Caroli.*

About the beginning of this Month of *September*, Commissioners were sent from the Estates of *Scotland* to the King at *Newcastle*, to persuade his Majesty to sign the Propositions lately tender'd to him [*and herein before recited*] and take the Covenant; *viz* Duke *Hamilton* (who having been released of his Imprisonment in St. *Michael's Mount* in *Cornwal*, upon the Parliaments's taking of that Place, had repaired to the King at *Newcastle* in *July*, and seemed to be kindly received, (his Brother the Earl of *Lanerick* having lately been made Secretary of State for the Kingdom of *Scotland*) and from thence went to *Scotland* the Earl of *Crawford*, the Earl of *Cassils*, the Lord *Lindsey*, the Lord *Balmerino*, Three Barons, and Three Burgesses: They pressed the King with many Arguments, to which the King returned this Answer in writing under his own hand.

His Majesty's Answer to the *Scots* Commissioners at *Newcastle*.

My Lords,

I Shall begin, by answering what you have now said: For I assure you I had not thus long delay'd my Answer, but to weigh fully those Reasons and Arguments which you have laid before me, whereby to use the uttermost of my Endeavours to give you all possible Satisfaction; for you having told me nothing but what I have heard before, the Change of Answer could hardly be expected. And now I do earnestly desire you to consider what it is that I desire, which is, To be heard; which if a King should refuse to any of his Subjects, he would for that be thought a Tyrant. For this, if I had but slight Reasons, it were the less to be regarded; but they are such, upon which such a Peace as we all desire, doth depend: For albeit it is possible, that if I should grant all you desire, a Peace might be slubber'd up, yet it is impossible that it should be durable, unless there be a right understanding betwixt Me and my People; which cannot be without granting what I desire.

Yet I desire to be rightly understood; for tho' many like to *Æsop*'s Fable will call Ears Horns, yet let Men say what they will, I am far from giving you a Negative, nay, I protest against it, my only desire being to be heard; For I am confident that upon Debate I shall so satisfy them in some things, as likewise I believe they may satisfy me in many things, that we shall come to a most happy Agreement. This I believe is not much needful to satisfy your Judgments; for I am not ignorant how really your Commissioners at *London* have endeavoured a Satisfactory Answer to my Message, as likewise what good Instructions have been sent them out of *Scotland*; so that the Force of Power more than the Force of Reason, hath made you so instant with me as you have been; with which I am so far from finding fault, that what you have done, I take well, knowing that it proceeds out of the abundance of your Zeal to my Service: Therefore as you see I do not mistake you, so I am careful not to be mistaken by you; wherefore again I desire you to take notice, that I do not give a Denial, my desire being only to be heard; as likewise that you will take things as they are, since neither you nor I can have them as we would; wherefore let us make the best of every thing, and now as you have fully performed your Duty to me, so I cannot doubt but you will continue to press those at *London* to hear Reason: And certainly you can expect little fair dealing from those who shall reject so much Reason, and of that sort, which you have, and I hope will offer them. Not to stay too long upon so unpleasing a Subject, I assure you, that nothing but the Preservation of That which is dearer to me than my Life, could have hinder'd me from giving you full Satisfaction: For upon my word, all the Dangers and Inconveniencies which you have laid before me, do not so much trouble me, as that I should not give full Satisfaction to the Desires of my Native Country, especially being so earnestly press'd upon me: And yet here again I must tell you (for in this case Repetitions are not impertinent) that I do not give you a Denial, nay I protest against it; and remember, it is your King that desires to be heard.

My

An. 1646.

Another Paper sent by the King to the *Scots* Commissioners at *Newcastle*.

My Lords,

'TIS a very great Grief to me, that what I spoke to you yesterday, and offer'd to you in writing, concerning Religion, hath given so little Satisfaction: Yet lest the Reasons I then told you, should not be so fully understood, I think it necessary at this time to set them down to you in this Paper: I then told you, that whatsoever was my particular Opinion, I did no ways intend to persuade you to do any thing against your Covenant; wherefore I desire you to consider, whether it be not a great step to your Reformation (which I take to be the chief End of your Covenant) that Presbyterial Government be legally setled. It is true, that I desire that my own Conscience, and those that are of the same Opinion with me, might be preserved, which I confess doth not as yet totally take away Episcopal Government; but then consider withal, that this will take away all the Superstitious Sects and Heresies of the Papists and Independents; to which you are no less obliged by your Covenant, than the taking away of Episcopacy: And this that I demand is most likely to be but Temporary; for if it be so clear as you believe, that Episcopacy is unlawful, I doubt not but God will so enlighten mine Eyes, that I shall soon perceive it; and then I promise you to concur with you fully in matters of Religion: But I am sure you cannot imagine that there is any hope of converting or silencing the Independent Party, which undoubtedly will get a Toleration in Religion from the Parliament of *England*, unless you join with me, and in that way I have set down for the Re-establishing my Crown, or at least that you do not press me to do this (which is yet against my Conscience) until I may do it without sinning: Which as I am confident none of you will persuade me to do, so I hope you have so much Charity, not to put things to such a desperate Issue, as to hazard the loss of us all, because for the present you cannot have full Satisfaction from me in point of Religion: Not considering, that besides the rest of the Mischiefs which may happen, it will infallibly set up the innumerable Sects of the Independents; nothing being more against your Covenant, than permitting of those Schisms to increase. As for the Message which I think fit at this time to send, I have chosen rather to mention the Point of Religion in a general than particular way, lest (not knowing all these Reasons which I have set down to you, which are most unfit for a Message) it may give less Satisfaction than I desire: Nevertheless I do conjure you, by that Love and Loyalty you have always professed unto me, That you make use of what I offered yesterday in writing, with these Reasons which I have now set down to you, and those further Hopes I have now given you, for the best advantages of my Service; with this particular Explanation, That whereas I mentioned that the Church-Government should be left to my Conscience, and those of my Opinion, I shall be content to restrict it to some few Dioceses as *Oxford*, *Winchester*, *Bristol*, *Bath and Wells*, and *Exeter*; leaving all the rest of *England* fully to the Presbyterian Government, with the strictest Clauses you shall think upon, against Papists and Independents.

POSTSCRIPT.

I require you to give a particular and full Account hereof to the General Assembly in *Scotland*, shewing them that I shall punctually make good my last Letter to them, and that this is a very great step to the Reformation desired, not only by the present putting down all Sects and Independents, but likewise presently establishing Presbyterian Government; hoping that they, as Minsters of God's Word, will not press upon me untimously the matter of Church-Government and Discipline, until I may have leisure to be so persuaded, that I may comply with what they desire, without Breach of Conscience, which I am confident they as Church-men cannot press me to do.

Some time after this, Duke *Hamilton* being gone back into *Scotland*, and having Intentions to go beyond Sea, his Majesty wrote him the following Letter to dissuade him: Which because it also discovers something of his Majesty's Resolutions in that Juncture, I shall here add the same.

Hamilton

Hamilton,

I Have so much to write, and so little time for it, that this Letter will be suitable to the Times, without Method, or Reason, and yet you will find lusty Truths in it, which puts me again out of Fashion, but the fitter for him to whom I write. Now to my business; but lest I should now forget it, I must first tell you, That those at *London* think to get me into their hands, by telling our Countrymen, that they do not intend to make me a Prisoner: O no, by no means! but only to give me an Honourable Guard, forsooth, to attend me continually, for the Security of my Person: Wherefore I must tell you (and 'tis so far from a Secret, that I desire every one should know it, only for the way, I leave it to you to manage it for my best advantage) that I will not be left in *England* when this Army retires, and these Garisons are render'd (without a visible violent Force upon my Person) unless clearly, and according to the old way of understanding, I may remain a Freeman; and that no Attendant be forced upon me, upon any pretence whatsoever. So much for that.

22 *Caroli.*

The King's Letter to Duke *Hamilton*, *Sept.* 26.

A Discourse yesternight with *Robert Murray*, was the Cause of this Letter, having no such Intention before, because I esteemed you a Man no more of this part of the World, believing your Resolutions to be like the Laws of the *Medes* and *Persians*. But however he shewed me such Reasons, that I found it fit to do what I am doing (for I confess one Man's Error is no just Excuse for another's Omission) which is to stay your Foreign Journey by persuasion. As for the Arguments, I refer you to *Robin*; only I will undertake to tell you some positive Truths; the chief whereof is, That it is not fit for you to do; then, It is less shame to recant, than to persist in an Error; my last is, By going, you take away from me the means of shewing my self,

Your most Assured, Real, Faithful, Constant Friend,

Newcastle, *Sept.* 26. 1646. Charles R.

The Earl of *Essex* departed this Life at *Essex*-House in the *Strand*; of which the Two Houses having notice the next day, they both adjourn'd immediately to the next day, and ordered that each House should accompany the Earl's Corps to the Grave, and assist at the Celebration of his Funeral Rites, towards which they order'd 5000 *l.* to be paid to his Executors for defraying the Charges thereof; which was celebrated with extraordinary State on the 22*d.* of *October*. Mr. *Vines* preach'd the Funeral Sermon. *Sept.* 14.

The House of Commons took into Consideration how his Majesty's Person should be disposed of; and Voted, *Sept.* 18.

1. That whatsoever Consultation and Debate the *Scots* Commissioners should have concerning his Majesty's Person, the same should not any ways impede the March of the *Scots* Armies out of this Kingdom, nor violate or trench upon the Treaties between both Nations.

2. That his Majesty shall be disposed of as both Houses of the Parliament of *England* shall think fit.

And afterwards ordered, That these Votes should be communicated to the *Scots* Commissioners; who pretending to a Joint Right of disposing of his Majesty's Person, a Committee of both Houses was appointed to Treat with them about it, who had sundry Conferences thereupon: At which the Earl of *Lowden*, Chancellor of *Scotland*, made the following Speeches.

My Lords and Gentlemen,

THE end of this Conference is to advise what is fit to be done for the Peace and Security of the Kingdom, in relation to the King, and how to dispose of his Majesty's Person; which is a matter very ticklish and of most high concernment; and they who would build very high, must dig very low for a firm Foundation: And therefore I shall make bold to desire, That whatever we resolve upon concerning the King's Majesty, it may be done by joint Advice and Consent of both Kingdoms; and that the Unity between the Kingdoms may be inviolably preserved, as that wherein (next to God's Protection) the chief Strength of both lies, which would be laid as a ground of our future Debates. And because the purpose we are to speak of is very grave and serious, I shall speak of it with that Sincerity, as I wish my words were written with the Beams of the Sun, and registred to Posterity,

The Lord Chancellor of *Scotland*'s first Speech, at a Conference in the Painted Chamber with a Committee of both Houses, *Octob.* 1. 1646.

An. 1646.

that all the World might see the Candor and Integrity of our Proceedings towards the King and our Brethren of *England*. And (as I had occasion once to express in this place) so do I now say, That no Man hath Conscience nor Honour, who will not remember our solemn League and Covenant, as the strongest Bond under Heaven between God and Man, between Man and Man, and between Nation and Nation; in which our Unity is founded upon Verity, in a threefold relation, to God, to the King, and amongst our selves. The first is the greatest, and ascends as high as Heaven; for *Religion*, which has its Name *à Religando*, unites us to God himself; and so long as he is in league with us, we need not fear who be against us. Let us therefore hold fast our Unity in Religion, and beware of Toleration of all Religion, which is the ready way to have none; for there is nothing more Divine in God than Unity, and nothing more Diabolical in the Devil than Division; who therefore is known to the Vulgar by his Cloven Foot to be the Spirit of Division.

The next ground and relation of our Unity, is with the King, to whom we are bound (in the strictest bonds of Loyal Subjection) by our Allegiance and Covenant, as to one Head and Monarch; and therefore the faithful Endeavours of both Kingdoms should (without wearying) be constantly contributed, that we may be united to him by a happy and just Peace: For if one of the Kingdoms shall cast off the King, and the other have a King; if the one shall make Peace with the King, and the other not make Peace, but be still at variance with him, it is to be feared that no human Wit nor Policy will be able to keep the Two Kingdoms long without a Rupture: And if it please God so to incline the King's Heart, and direct the Wisdom of the Parliaments, as that the King and we could make a happy Agreement, no Power nor Policy can be able to divide us; for, *Qui conveniunt uni tertio, conveniunt inter se.*

The third ground and relation of our Unity, is the Conjunction of the Two Kingdoms, which hath been acknowledged to be so necessary and useful to both, that they have often declared, they would stand and fall, and (like *Hippocrates* Twins) live and dye together. And therefore, as we regard our Solemn Covenant with God Almighty, and tender the standing and Safety of the Kingdoms, let us (with one heart and mind) join our Counsels and Actions, that whatsoever we resolve upon for our common Peace and Security in relation to the King, and of each Kingdom to other, that it be done in Zeal to Religion, in Loyalty to the King, and with Unanimity amongst our selves. And as the *Pythagoreans* did note the number of Two with the mark of Infamy, as being the first Number that durst part from Unity; so, which soever of the Kingdoms shall first violate the Unity which is bound up in our Covenant, may apply it to themselves: But if we shall adhere to that Unity which is builded upon the firm Foundation of Verity, in our relations to Religion, the King, and amongst our selves, it will be a Threefold Cord, which is not easily broken; and our Unity, I hope, shall be turned into an Identity, both Kingdoms may be perfectly one.

Numerus Binarius infamis est quia primus ausus est discedere ab unitate.

Having thus in the first place laid a ground for Unity of Counsels and Resolutions; I shall in the next place humbly desire and protest, That whatever may be our Propositions or Debates concerning the King, it be not misconstrued, as if one of the Kingdoms were imposing Conditions upon the other, or that we are absolutely wedded to any one desire more than to another; but that (all several ways being amicably debated and rightly ponder'd,) that which may serve most for the Safety, Security, and Happiness of the King and both Kingdoms, may be gravely resolved upon. And now I come to the Question it self, concerning the disposing of his Majesty's Person; first, Negatively, and then Positively. Negatively, the Question is not of the Power and Authority of the Houses of Parliament in disposing of any Person, or judging of any Case which is of single concernment to *England:* Nor is the Question how the King's Person may be disposed of *de facto*, by any one of the Kingdoms; neither is the Question properly *de jure & posse*, but *de esse, & bene esse:* And as it is neither good Logick nor good Divinity to argue *à posse ad esse*; so sure I am, in this case it is far worse Policy for either Kingdom to dispute what they may do in the height of their Power, when both are

consulting

consulting what is fittest to be done for the Peace and Security of both. And the relation of both Kingdoms to his Majesty, and of each Kingdom to other being rightly considered, as he is King to both, as both are Subjects to him, as both are engaged in the same Cause, and have been in the same War, and are labouring under the same Danger, are seeking the same Remedies, and should have the same Security; we do hold that the disposing of the King's Person doth not properly belong to any one of the Kingdoms, but jointly to both. And after *Scotland* hath suffered the Heat of the Day, and Winters Cold, have forsaken their own Peace for love of their Brethren, have set their own House on fire to quench theirs; after so much Expence of their Blood in all the Three Kingdoms, after we have gone along with you in all the Hardship of this War; and (without vanity be it spoken) have been so useful in this Cause; and that the King hath cast himself into the hands of the *Scotish* Army, and that by the blessing of God upon the joint Endeavours of both Kingdoms we are come to the harbour of a Peace; we cannot expect that the Honourable Houses will think it agreeable with Conscience or Honour, or with the Justice of the Houses, that the Person of the King should be disposed of by them as they shall think fit, or by any one of the Kingdoms alone; but that whatever shall be resolved in this, may be done by joint Advice of both, as may serve most for the Peace, Security, and Happiness of both Kingdoms.

22 *Caroli.*

The Lord Chancellor of *Scotland*'s second Speech, at a Conference in the Painted Chamber with a Committee of both Houses, *Octob.* 6. 1646.

At our last meeting in this Conference, your Lordships did assert the Vote of the Houses, That the Person of the King should be disposed on as the Two Houses shall think fit; and we did hold, That the King, who is the Head and Monarch of both Kingdoms, ought not to be disposed of by any one of the Kingdoms, but by joint Advice of both, as might serve most for the Peace, Happiness, and Security of his Majesty and both Kingdoms; which we fortified with several Arguments from the Interests and Relations which both Kingdoms have equally to the King, and from the Covenant and Treaty between the Kingdoms, as the best way to preserve our Unity. But since your Lordships do adhere to the Vote of the Houses, as that which you cannot part from, we do humbly desire, that your Lorships may be pleased (in time convenient, at the close of this Conference) to report the difference of our Judgment to the Honourable Houses, who upon better Reasons both may, and (we hope) will take their Vote into further Consideration: And so with reservation of our Judgment, that the disposing of his Majesty's Person doth belong to both, and not to any one of the Kingdoms, especially in such a Juncture of Affairs, as both Kingdoms stand engaged in this Cause; I shall descend particularly how the King's Person should be disposed of, to the best advantage of both Kingdoms, and for attaining such a happy Peace as all good Men should desire. But lest we should walk in the dark upon obscurity of ambiguous words, I shall desire that the word of disposing of the King's Person may be rightly understood, and the true sense of it may be clearly known: For, *Dolus versatur in universalibus.* For, *To dispose of the King's Person as both Houses, or both Kingdoms shall think fit,* may in some sense be to depose, or worse: But because the word [*Dispose*] may admit a more benign Interpretation, as when Men commit their Estates and Children, or that which is dearest to them, to be disposed of, (which is but to be advised) by those who have nearest relation to them, and in whom they repose most Trust; I shall speak of the disposing of his Majesty's Royal Person in that sense, which (I hope) is also the sense of the Houses. Nor do I know any other way how his Majesty's Person can be disposed of, but that he be put either under Restraint, or be at Freedom with Honour and Safety. As for the way of Restraint, I look upon it as it looks upon us, as a Remedy more dangerous than the Disease, and as a Mean to draw the War of Foreign Kings upon us (especially the Prince being in other Kingdoms) rather than to quiet our Troubles at home. And therefore supposing that none of the Kingdoms will take any way concerning his Majesty's Person, but such as may consist with Duty and Honour, and which may lessen, and not encrease our Troubles, I shall lay aside the way of Restraint, and speak of the way which may be with Freedom, Honour, and Safety; which can be no other, but that his Majesty shall go into *Scotland*, or come to his Parliament here, or some of his Houses hereabouts.

 His

An. 1646.

His going into *Scotland* is full of Dangers and Inconveniences to both Kingdoms: The *Amalekites* are not yet driven out of that Land. The bloody barbarous *Irish*, banded with a wicked Crew of Malignants, possess the Mountains and High-Lands, which are the Strong-holds, and never conquered parts of that Kingdom. They have not laid down Arms, but keep in a Body together; and they are so near *Ireland*, as the Forces of the Rebels there may in two or three hours space come over and join with them; and (*Scotland*) not being able to keep and entertain Armies long, the King being there, may raise such Forces in *Scotland*, as may make way quickly into *England*. And therefore his Majesty's going into *Scotland* (before our Peace be setled) being of most dangerous consequence to both Kingdoms, I shall humbly offer to your Lordships Consideration his Majesty's coming to *London*, or some of his Houses hereabouts, as the most probable way to procure a speedy and happy Agreement, which is also his Majesty's own desire in his Answer to the Propositions. And altho' no Persuasion of ours could prevail to procure a more satisfactory Answer for the time, than what is returned to the Houses of Parliament, yet, (I assure your Lordships) that the Committee of Estates of the Parliament of *Scotland*, and the Noblemen who were at *Newcastle*, did faithfully contribute their best Endeavours, that his Majesty might have given his Assent to the Propositions: And as we did then deliver our Minds with that Plainness and Freedom which was fit for Faithful and Loyal Subjects, with no less regard to this Kingdom than our own Nation; so are we now (with the same Candour and Tenderness of Affection) willing and ready to concur with the Honourable Houses in every thing which may promote the great work of Reformation, and settle Religion according to the Covenant, with a well-grounded Peace. And for these Ends, we desire that his Majesty's Answer may be improved to the best advantage of the Publick.

For albeit the King hath not given a present Assent to the Propositions, yet he hath not in his Answer refused them; but doth promise, That he will chearfully grant and give his Assent unto all such Bills (at the desire of the Two Houses) and reasonable Demands for *Scotland*, which shall be really for the Good and Peace of his People: To which end he desireth and proposeth, That he may come to *London* (or any of his Houses hereabouts) upon security that he shall be there with Honour, Freedom, and Safety, as the best Expedient to procure a happy Agreement between his Majesty and his Parliament; which we desire may be weighed in the balance of righteous Judgment, as a business of the greatest consequence which can fall within human Consideration, and wherein the Glory of God is most concerned of any business under Heaven. For upon a blessed Agreement between the King and his Parliament, Religion and Righteousness, Truth and Peace, which are the compend and height of all Happiness, will be established, to the eternal Fame and Glory of *Great Britain*, and the great Comfort of all the Protestant Churches: And upon our disagreement, all the Calamities of a bloody and unnatural War will be continued, and nothing heard nor seen in Church nor State, but Confusion. God hath brought both Kingdoms thorough the Surges and Waves of a boisterous Tempest, into the Harbour of a Peace, and hath scattered most part of our Enemies; and now our work is how to come ashore and establish a right Peace. I hope it is as far from our desires and intentions, as it is against our Covenant and Professions, to change fundamental Government. We have need to take heed, that we run not from one Extreme into another: *Dum stulti vitant vitia, in contraria currunt:* Therefore our study would be how to cure the Wound which our Sins and the evil Counsels of others have made between the King and his Parliament, to make up the Breach, and not make it wider.

It hath been universally acknowledged, That the King's removal from his Parliament is the immediate and chief Cause of all the War, Mischief, and Calamities of the Kingdoms: Then his Majesty's Presence in joining with his Parliament must be the best, if not the only Remedy to remove our Troubles; for it is a Maxim no less true than common, That *Contraries have contrary Consequences.*

Contrariorum contraria sunt consequentia.

The King desires to come to his Parliament, not only to have his Doubts cleared, and have these Difficulties explained which hinder his Consent to the

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Propositions as they now stand: But likewise that his coming may raise a mutual Confidence between him and his Parliament: If the last were done, the first would soon be performed, and all those Mountains of Difficulties would easily be removed, and become Valleys.

Your Commissioners had no power to give any Reasons, no not so much as to tell what is the meaning of any of your Demands, nor hearken to any Desire of the King's: And certainly some things might be justly moved by his Majesty, which are necessary for the Crown, and a well-grounded Peace; as, That he may have his Revenues; That he may return with Honour and Safety to his Crown and Government. And if the King were with his Parliament, where he might both give and receive Satisfaction, he might with reason be convinced to assent to what he now conceives to be unreasonable.

The making of a Peace is so great and glorious a Work, and so acceptable to all good Men, and to the whole People, that it would (after so great trouble) be like Rain to the new-mown Grass, or like a Resurrection from the dead, and is a work worthy of a King's Presence; and the King may without arrogancy desire that Glory to himself, the more to reingratiate him to his People; and not devolve that Honour wholly to any other, wherein he himself ought to be the prime Actor. And therefore the King's Presence with his Parliament is the most probable way to attain to a speedy and blessed Peace, which certainly will be the more durable, if it be with the good liking of both sides.

I know there is one common Objection (and I know not another) wherewith many are possest and prejudiced against the King's coming to his Parliament, That his Presence may breed Division, and that he may thereafter withdraw, and continue our Troubles. *Unity* and *Concord* (I confess) is that by which Kingdoms and Common-wealths do flourish, and there is nothing more dangerous than Division, *Concordia enim res parvæ crescunt, discordia vero maximæ dilabuntur.* But is there any greater or more dangerous Division, than to have the Head divided from the Body? To have the King divided from his Parliament, the Representative Body of the Kingdom, whereof he is the Head? Hath not this Division divided Brother against Brother, the Father against the Son, and the Son against the Father, and Country against Country? This Division is the Cause of all our other Divisions: Take this away, and all our other Divisions are at an end. *Ablatur causa tollitur effectus.* The King doth (with all earnestness) desire to be joined with you, and stands more in need of Reconciliation, and I hope will (according to his profession) endeavour it, rather then Division; and (I trust) the Wisdom of the Honourable Houses is such, as they will do so too, and rather be reconciled to the King, than divide amongst our selves. And that Argument, Not to admit of the King's coming to his Parliament, because his Presence may breed Division, is an Argument to debar him perpetually from his Parliament. And now the Case is altered from what it was, when it was thought unfit that the King should come to his Parliament, because then he had Forces in the Fields, Garisons and Strong-holds to return to: Now he hath none of these against you; and his desire of coming to his Parliament cannot be but with resolution to agree and stay with you; for if he were once with you, where can he go from you? And if they were esteemed Enemies to the Parliament and the Peace of the Kingdoms, who advised the King to withdraw from his Parliament, what estimation will the World have of them, who will not suffer him to return to his Parliament, when he offers to cast himself in your Arms? Nor can there be a more real Testimony of our Respect and Affection to *England*, than that we desire he may be with you, and be advised by you; neither can you have any greater Honour, than that (after you have dissipated your Enemies) his Majesty is willing to return to you. And if so kind an Offer shall be refused, and the King driven to despair, it is to be feared these Kingdoms will be involved in greater difficulties than ever; and we shall be driven out of the harbour and entrance of a Peace, into the Tempest of new and bloody Wars.

For altho' *Scotland* be most willing and desirous that the King should return to his Parliament with Honour, Safety, and Freedom, and that he may remain where his Personal Presence may serve most for the Security and Happiness

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pineſs of his People; yet if any ſuch courſe ſhall be taken, or any demand made for rendring of his Perſon, which cannot ſtand with his Honour and Safety, or which cannot conſiſt with our Duty, Allegiance and Covenant, nor with the Honour of that Army to whom (in time of his extreme danger) he had his Recourſe for Safety; it cannot be expected that we can be capable of ſo baſe an Act. And if (to ſhun this, and avoid occaſion of quarrelling between the Kingdoms) he ſhall go to *Scotland*, and reſent his Expulſion out of *England*, and crave the Aſſiſtance of that Kingdom for Recovery of his Right to this Crown; he may in a ſhort time raiſe ſuch Forces in *Scotland* and *Ireland*, as with the Aſſiſtance of Foreign Princes, theſe Kingdoms may be made a Field of Blood, and the youngeſt amongſt us not live to ſee the end of theſe unnatural Wars. But if the preſent opportunity be wiſely managed, and that we maintain the juſt Privileges of Parliament, and Liberty of the Subject in both Kingdoms, with that Wiſdom and Diſcretion, as that may be given to God which is God's, and to *Cæſar* what is *Cæſar*'s; if we fear God and the King, and do not meddle with them who are given to change; that ſame Divine Providence and Wiſdom which hath brought us through many Difficulties, will alſo teach us how to eſtabliſh theſe Kingdoms in Peace, and the King's Throne in Righteouſneſs: That the great Bleſſing of a conſtant and Friendly Conjunction of the Two Kingdoms (now united by Allegiance and Loyal Subjection to one Sovereign and Head) may be firmly obſerved and continued to all Poſterity.

The Lord Chancellor of *Scotland*'s laſt Speech, at a Conference in the Painted Chamber with a Committee of both Houſes, *Octob.* 10. 1646.

My Lords and Gentlemen,

THis day I hope will bring our Conference to ſome Reſults to be reported to the Houſes; and therefore I ſhall frame my Diſcourſe and Arguments with that Succinctneſs as may bring us ſooneſt to a Cloſe.

At our firſt meeting, the Subject of our Debate was, Whether the Right and Power of diſpoſing the Perſon of the King is ſolely in the Two Houſes as they ſhall think fit, or in the Two Kingdoms, and at our laſt meeting we had ſome arguing about the ſame Queſtion; but your Lordſhips did ſtill aſſert the Vote of the Houſes; and we ſay (in reſpect of the intereſt and relations which both Kingdoms have equally to the King, eſpecially in the preſent Juncture of Affairs, when both Kingdoms are entred in the ſame League and Covenant, have jeoparded their Lives in the ſame War, are labouring under the ſame Danger, are ſeeking the ſame Remedies, and ſtand in need of the ſame Peace and Security; and both Kingdoms are bound by our Covenant to preſerve Unity, and are obliged by Treaty that none of us ſhall make any Peace, Ceſſation, or Agreement whatſoever, without mutual Advice and Conſent of both,) That the Perſon of the King cannot be diſpoſed of without the joint Advice and Conſent of both Kingdoms. But as we do acknowledge that *England* hath Parity of Intereſt with *Scotland*, ſo do we ſtill offer that they ſhall have Parity of Power in diſpoſing of the King: And we do affirm, That the Perſon of the King, who is King of *Scotland* as well as of *England*, and is Head and Monarch of both Kingdoms, cannot be diſpoſed of by any one of the Kingdoms alone; but whatever is to be done concerning the diſpoſing of his Majeſty's Perſon, ought to be done by joint Advice and common Conſent of both, as may ſerve moſt for the Peace, Security, and Happineſs of the King and Kingdoms; which we did prove by ſeveral Arguments: To which there was nothing anſwered in effect, but, That the King being within *England*, his Perſon was to be diſpoſed of as the Two Houſes ſhall think fit; and that the King being with the *Scotiſh* Army, and they being paid by the Parliament of *England*, he is in effect in the Power of the Houſes, and ought to be at their diſpoſing, in the ſame way as if he had come to the Army of Sir *Thomas Fairfax*, or any other of the Parliament's Armies. To which we ſhall not need to make any Reply, other than we have made already, That the King's preſent Reſidence in *England*, nor no Locality, can take away the Reality of our Relations formerly mentioned by us, far leſs can it take away the Engagements and Stipulations between the Kingdoms; and though the *Scotiſh* Army be paid by the Parliament of *England*, yet they are the Army of *Scotland*, raiſed for purſuance of the Ends of the Covenant, and are to be ordered and directed by the Parliaments or Committees of both Kingdoms: And there-

therefore they cannot with Conſcience, Duty, nor Honour, deliver the Perſon of the King without his own Conſent, to be diſpoſed of as the Two Houſes ſhall think fit. But we have declared, and do ſtill declare, That we are content that the Perſon of the King be diſpoſed of (the word *Diſpoſed* being taken in a right ſenſe) as may ſerve moſt for the Peace, Safety, Security, Honour and Happineſs of the King and both Kingdoms: And did offer to your Lordſhips Conſideration his Majeſty's coming to, or near *London*, as the moſt probable means to procure a ſpeedy and well-grounded Peace. And ſeeing your Lordſhips have done us the Honour to meet with us in this free and Brotherly Conference, we do expect that you will Concur and Aſſent to this Propoſition, or propound a better Expedient for the good of both Kingdoms. 22 *Caroli*

But if the Honourable Houſes will not admit of this Propoſition, our next deſire is (that it may appear, no lawful and poſſible means are left uneſſay'd, which may procure a happy Agreement betwixt the King and his Parliaments; and for our further Exoneration,) That Commiſſioners may yet once more be ſent from both Kingdoms to his Majeſty, to ſhew the meaning of our Propoſitions, and to aſſert them, and to hear the King's Doubts, and Difficulties, and Deſires; who may further intimate, That (if his Majeſty ſhall not give a Satisfactory Anſwer to the Propoſitions) then both Kingdoms will, without making any ſuch further Application to him, take ſuch courſe as they ſhall judge fitteſt for the Peace and Security of the Kingdoms.

And as at the opening of this Conference I did begin with an humble, lawful, and laudable deſire for Unity, in relation to Religion, the King, and amongſt our ſelves; ſo ſhall I cloſe in the ſame Dialect: For the firſt, of Religion; if we do remember our Vows to God to perform them, and ſhall endeavour really, conſtantly, and ſincerely, the Reformation of Religion, and Uniformity according to our Covenant, we may certainly expect that God will crown this great Work, wherein he hath honoured us to be Actors, with his Bleſſing: But if in place of Uniformity, which we are obliged to endeavour, there ſhall be a Toleration of all Sects and ſorts of Religion, and if we neglect to build the Houſe of God, and become inſolent upon our Succeſſes: although we could mount up with Eagles Wings, and build our Neſts as high as the Stars, and had an Army who for Valour and Strength could march to *Conſtantinople*, God ſhall lay our Glory low in the duſt, and ſuffer the Work to fall in our hands, like the Confuſion of *Babel*. And whatever hath been moved by us concerning the King, we deſire it may be rightly conſtructed, as proceeding from ſuch as have not wavered from their firſt Principles: For when the King was in the height of his Power, we did not, and (I hope) never ſhall flatter him; and when the Enemy was in the height of their Pride and Strength, *Scotland* did fear no Colours: And now when the King is at his loweſt Ebb, and hath caſt himſelf into our Army for Safety, we hope your Lordſhips will pardon us, from our ſenſe of Honour and Duty, to be very tender of the Perſon and Poſterity of the King, to whom we have ſo many near Relations, and not like the worſe of us; that we cannot ſo far forget our Allegiance and Duty, as not to have an Antipathy againſt the Change of Monarchical Government, in which we have lived through the Deſcent of ſo many Kings, and under which both Kingdoms have been governed ſo many Ages, and flouriſhed in all Happineſs. And now my laſt word ſhall be for conſtant Unity between the Kingdoms; which as it hath been the chief means to promote the great Work wherein both Kingdoms are ſo deeply engaged, ſo there is nothing can make us ſo formidable to our Enemies, nor ſo much aiding one to another, as the cheriſhing and continuing thereof; and I dare ſay that no Man would divide the one from the other, but ſuch as deſire to fiſh in troubled waters, and are real Enemies to both. God hath bleſs'd the joint Endeavours of both Nations, both are in one Ship, and are come through a very great Storm; and now when we are come into the Harbour, it would be great ſhame to both to ſplit upon the Rocks of Diviſion *& devorato bove deficere in cauda*;) and your Lordſhips may be confident, that *Scotland*, who have eſteemed no hazard too great for ſetling of Religion and Love to their Brethren, will ſtick ſo faſt and firmly to you, (ſo long as you hold the Principles of your Covenant) as no fear nor

An. 1646. nor favour will ever be able to divide them from you; and we do expect that reciprocal Amity which may perpetuate our Unity.

Scots Papers. The *Scots* also gave in long Papers; wherein they shewed, *That the King being Sovereign of both Kingdoms, was not to be disposed by the Parliament of one Kingdom. That this was destructive to the Relation and Interest the* Scotish *Nation had in him, and contrary to the nature of Sovereignty, and to the Covenant and Treaties of both Kingdoms, by which it was agreed, That his Majesty's just Power and Greatness should not be diminished; which by such a Demand of his Person was very signally done. It was also argued, That all things in order to Peace (to which the Disposal of the King's Person did relate in a special manner) should be done by the joint Councils of both Kingdoms.*

These Papers the *Scots* Commissioners (contrary to their own Desire, and promise of Secresy, as the Parliaments Committee alledged) did cause to be printed; which incensed the Two Houses so that they seized the Papers at the Press, and committed the Printers; but soon after they were for all that publish'd, but said to be printed at *Edinburgh*. To these Papers the Commons ordered an Answer to be drawn; which being brought in, read and approved, pass'd that House; and the Question being put, Whether the same should be sent up to the Lords for their Concurrence, it was carried in the Negative, and sent to the *Scots* Commissioners, who returned the same, refusing to accept thereof, because it came not from both Houses. Which Answer being publish'd by Order of the Commons, and for that it recites at large all the *Scots* Arguments on this Affair, 'tis hoped the Reader will excuse its Tediousness, if for his fuller Satisfaction it be here inserted: Only first premising a Speech spoken in the Commons House on that Subject.

A Speech made in the House of Commons the 26th day of October, 1646. *(upon the Reading of the* Scotish *Papers, in Reply to the Votes of both Houses of Parliament, of the* 24th *of* September, *concerning the Disposal of the King's Person.) Spoken by* Thomas Chaloner, *Esq; a Member of the said House.*

Mr. Speaker,

YOU have just now heard Two Papers read before you from the Commissioners of *Scotland*; the first concerning the Disposal of the King's Person, the other touching the Distractions of the *North*, by reason (as they say) of the Non-payment of their Army. I shall speak nothing to the latter, because it hath been so sufficienly answered by divers knowing Members of this House. To the first I shall wholly apply my self, because little or nothing hath been said to that point.

The Question then before you is, About the Disposal of the King's Person: You say, That he is to be disposed of as both Houses of Parliament shall think fitting; but your Brethren of *Scotland* say he is to be disposed of as both Kingdoms shall think fitting: And they fortify their Affirmation with these Reasons:

They say, That he is not only King of *England*, but also King of *Scotland*; and as you have an Interest in him, he being King of *England*, so have they no less Interest in him, he being King of *Scotland*. And as they have not the sole Interest in him, he being King of *Scotland*, because they acknowledge withal that he is King of *England*; so have not you the sole Interest in him, he being King of *England*, because they desire you to remember that he is also King of *Scotland:* So as neither Nation having a Sole, but a joint Interest in his Person, they ought jointly to dispose of it for the Weal and Benefit of both Kingdoms.

This I take to be the whole Scope of their Argument, which they have represented unto you under so many disguises, and as it were by multiplying-glasses, insomuch as the bare relating of it, takes up Three large Sheets of Paper.

But while they debate this great Question with you touching the disposal of the King's Person, and while they positively affirm, That he is to be disposed of by the joint Consent of both Nations; give me leave to remember

ber you, That in the mean time they dispose wholly of him themselves, and so have done for these six months, and may for six months longer, for any thing I can gather out of these Papers. 22 *Caroli.*

Their Argument runs thus:

Wheresoever the Kingdom of Scotland *hath an Interest in their King, there they may dispose of him.*
But the Kingdom of Scotland *hath an Interest in their King, he being in* England.
Therefore in England *they may dispose of him.*

Sir, This may seem at the first to some to be a fair and specious Argument, but let it be well considered, it will prove erroneous and fallacious: For in the Major Proposition they understand one thing by the word King, and in the Minor Proposition they understand another thing by the word King, and so here is a conclusion inferred, which the Premisses will not warrant.

For the clearing whereof, I pray, Sir, remember that this word King is of a various signification, sometimes it is taken *in abstracto*, that is, for the Royal Power, Function, and Office of a King; sometimes it is taken *in concreto*, that is, for the Man or Person whom we call King.

If their Major Proposition be taken in the first sense, we shall never deny it them, nay we shall acknowledge that the King of *Scotland* being taken *in abstracto*, we have nothing to do with him at all, he is solely and totally theirs: God forbid that a King of *Scotland* going out of his Kingdom, should either make *Scotland* cease to be a Kingdom, or give any participation of Interest to that Country where he doth reside. Let his person reside in the furthest parts of the earth, yet the Royal Office and Capacity of the King resideth still in *Scotland*; they have his Sword to do Justice by, they have his Scepter to shew mercy by, they have his Seal to confirm what they please by, and they have his Laws to govern by; and in this sense it is only meant that the King is never under years, never dies, cannot be deceived, can neither do wrong, nor take wrong of any body; and in this sense we fight for King and Parliament, though the Person of the King be in opposition to both; and in this sense the Returns and Tests of the King's Writs are, *Coram me-ipso apud Westmonasterium*, and *teste me-ipso apud Westmonasterium*, let the Person of the King at the same be in *France*, or the remotest Country in the World; but a King of *Scotland* taken in this sense is never out of *Scotland:* And therefore whereas they say in the Minor Proposition, That the Kingdom of *Scotland* hath an interest in their King, he being in *England*, this must needs be meant of a King *in Concreto*, that is, only of the Person of their King, and not of his Royal Capacity; and in this sense we must deny that they have any thing at all to do with him: For though the Royal Office of the King of *Scotland* is solely to be disposed of by the State of *Scotland*, yet it is not so with his Person; for *Persona sequitur locum*, and his person must be disposed of by the Supreme Power of that Country wheresoever he shall happen to abide. Suppose a King of *Scotland* should be in *Spain*, will they say they have as great an interest to dispose of his person there as in *Scotland*; I think they will not say so; and yet they did affirm last day at the Conference, That they had as good right to dispose of his person at *Westminster*, as they had at *Edinburgh:* But under their favour, *England* is as distinct a Kingdom from *Scotland*, as *Spain*; it is as distinct in Laws, distinct in Privileges, distinct in Interest; it is neither subordinate nor dependant of *Scotland*, and they can no more dispose of a King of *Scotland*'s person, he being in *England*, than if he were in *Spain*.

I shall take this as granted for good Law, That let the person of any Nation under the Sun, which is in Amity with *England*, happen to come into *England*, that person is forthwith a Subject of *England*.

For he being protected by the Laws of *England*, he becomes thereby subject to those Laws, it being most certain, that *Protectio trahit subjectionem, & subjectio protectionem*, they being relatives, the one cannot stand without the other;

An. 1646. other; and as no Man can be said to be a Father, that hath no Son, nor no Man a Husband, that hath no Wife, so no Man can be said to be protected, that is not withal thereby subjected. And since without such protection every Man may kill him, and destroy him, it seems to stand with no proportion of Justice, that a Man should be protected in Life, Limb, or Estate, by any Law, that will not subject himself to that Law.

It cannot be denied but that there is a Twofold Subjection, Legal, and Local; the Legal Subjection is due from every Subject to his Natural Prince; the Local from any Foreigner to that Prince or State where his person doth reside. And this, though it be only *pro tempore*, and the other during life, yet it doth for the time totally obstruct the operation of the other subjection; so that no King can command any Subject of his, living out of his Kingdom, but such Subject of his is to be disposed of by the sole Authority of that Supreme Power where he makes his Residence. And since the question is only about the person of a King of *Scotland*, for I conceive they will not take upon them any Authority to dispose of the Person of a King of *England*, I do affirm, That if a King of *Scotland* should have come into *England* before the Union of both these Kingdoms, he had been instantly a Subject of *England*, and his person to be disposed of by the sole Authority of the Laws of *England*.

For either we must take him as a King, or a Subject, since betwixt them two there is no Medium: As a King we cannot take him, unless we should commit Treason against our Natural Prince, and subject our selves to any but to him; it being most certain, that there is the same Relation betwixt the King and his Subjects, as betwixt the Husband and his Wife; and as no Man can be said to be a Husband, but to his own Wife; so no Man can be said to be a King but to his own Subjects; and therefore we cannot admit of any Regality in the person of a King of *Scotland* coming into *England*, unless at the same time to the same person we should confess subjection. For that it is most true, that as none can be said to be *Rex sine Regno*, so no Man can be said to be *Rex* but *in Regno*. Therefore if a King of *Scotland* coming as aforesaid into *England*, if against the Laws of *England* he do offend, by those Laws of *England* he must be tried, and by none other; for *ubi quis delinquit, ibi punietur*; and it is most sure, that we have disposed of the persons of Kings of *Scotland* coming into *England*, both living and dead. And if we may dispose of the person of a King of *Scotland* without the consent of the Kingdom of *Scotland*, much more may we dispose of the person of a King of *England*, he being now in *England*, without their Privity or Advice. But if they have any power to dispose of him, it is because they are either our Masters or our Fellows: If they be our Masters, let them shew the time when they conquered us, or the price for which we were sold unto them. If they be our Fellows, why come they not to our Parliaments, why contribute they not to our Necessities? But as it is apparent that they being two distinct Kingdoms, governed by two distinct Laws, so they ought not to intermeddle one with anothers interest, but to content themselves with what doth naturally appertain to each of them severally.

There is no doubt to be made, but that every Husband hath as great an interest in the person of his Wife, as any Subject hath in the person of his Sovereign; and yet a Man may lose that interest by some act of his Wife's, as if she commit Felony, Murder, or Treason, the Law disposeth of her Person, and her Husband cannot claim any Right, so much as to her dead Body: So fareth it with a King, who by going out of his Kingdom, or by being taken Prisoner by his Enemies, his Subjects lose the interest they had in him, and he is at the disposal of his Enemies *Jure belli*. *John* King of *England* was cited to appear at *Paris*, to answer for the death of *Arthur Plantagenet*, Duke of *Britain*, whom he had murthered; the State of *England* would not let him go, as holding it a great Indignity and Incongruity, that a King of *England* should answer for any thing at *Paris*, right or wrong: The *French* answered, that they cited him not as King of *England*, but as Duke of *Normandy*; as King of *England*, they acknowledged to have nothing to do with him, he was in that respect without them, and beyond

them;

them; but as Duke of *Normandy*, which he held in Fee of the Crown of *France*, he owed Fealty and Allegiance for the same to the Crown of *France*, and therefore ought to answer. The *English* replied, that if the Duke of *Normandy* did go, the King of *England* must go; and if the Duke of *Normandy* were beheaded, they knew well enough what would become of the King of *England*. Upon large debate hereof by all the Lawyers in *France*, it was resolved, That if *John* had been in *Normandy* at the time of his Summons, he ought to have appeared; but he being *Extra Jurisdictionem Regni Franciæ* at the time of his Summons, and *Infra Jurisdictionem Regni Angliæ*, though legally he were a Subject of *France*, yet locally he being in *England*, his Summons was void, and he forfeited nothing by his Non-appearance. 22 *Caroli.*

I will only urge one Argument more, deduced from a known Maxim of the Law, not of *England*, but of *Scotland* also, which the Commissioners of *Scotland* the other day at the Conference did cite themselves, in my opinion much against themselves; and that is this, *Quando Duo Jura, inter Duo Regna* (saith a great Lawyer) *concurrant in una persona, æquum est ac si essent in diversis*; which is no more than this, When Two Kingdoms held by Two distinct Titles, do concur in one and the same person, it is all one as if they were in two distinct persons. I suppose here is our very case; here are two Kingdoms, *England* and *Scotland*, held by two distinct Titles, which do both concur in one Person, in the person of King *Charles*; it is all one, saith this Rule and Maxim of the Law, as if they were under two several persons: why then put the case that there were one King of *England* and another of *Scotland*, would the State of *Scotland* have any thing to do to dispose of the person of a King of *England*, he being in *England*? I think you will say they could not.

Sir, I am sorry that our Brethren have moved this question at this time; for all questions make debates, and debates differences; and this were a time for Brothers to reconcile differences, rather than to make them; we have now lived Forty four Years, both under two Princes, and in all this time this Question was never stirred in till now; had it been stirred in, no question but it had been rejected. The people of *England* would have held it very strange that they could not have disposed of the person of their own King; or that a King of *England* could not have gone from *Whitehall* to *Richmond* or *Hampton-Court*, without the will and appointment of the Council of *Scotland*: They would have thought they had made an evil bargain by such a Union. For before the Union, they might have disposed of the person of their Prince; but after, not. And since they conceived that by the addition of *Scotland* there was an addition of Charge, they would have been very sorry withal to have had an addition of Servility.

Since the beginning of the World there was never before such a Contention about the Person of a King. The *Greeks* and *Trojans* did contend for a long time in fight about the dead Body of *Patroclus*, which of them should have it: But here is not a Contention about the dead Body of a private Man, but about the living Body of a King: Neither do we contend as they did, who should have his person, but here you do contend (as far as I conceive) who should not have it. Your Brethren of *Scotland* say positively, they will not have the King's person upon any Conditions whatsoever. It is now above Six Months past that you voted in this House the demanding of the King's Person, but the Lords refused to join with you; ever since until this present you your self did acquiesce as if you had repented of your former Vote: Now he must be put upon you, and with such Terms as his present Guardians please to allow of.

Truly it seems strange to me, that an Army of *Scots*, in pay of the Kingdom of *England*, which by the Treaty ought to be governed by the joint consent of the Committees of both Kingdoms upon the place, should in *England* take a King of *England*, without the privity of the *English* Committee, and convey him to *Newcastle*, a Town likewise of *England*, and should there keep him for Six whole Months, without the Consent of both Houses of Parliament. And when they find it not convenient for them to keep him

An. 1646. any longer, then they will capitulate with you, upon what Conditions you muſt receive his Perſon.

I never thought to have found a King of *England*, his Perſon being in *England*, under any other protection but that of the Laws of *England*; but now I find him under the protection of a *Scotiſh* Army, whither they ſay he is fled for ſhelter, and that they cannot render him up in Honour.

Sir, if that Army of theirs be come into this Kingdom as Brethren, Friends, and Confederates, (as we hope they are) then is every perſon of that Army, during the time of his ſtay here, locally a Subject of *England*; and ſuch Children as are born to them here are not Aliens but Deniſons, and not only local but legal Subjects of this Kingdom. And therefore they having gotten the King into their hands, they ought no more to capitulate upon what Terms he ſhould be delivered into yours, than if the Army of Sir *Thomas Fairfax* were in poſſeſſion thereof; who if they ſhould deny the ſurrendring of the King unto you, but upon Condition, no queſtion but it were capital.

They ſay, that by virtue of the Covenant they are obliged to defend his Perſon and Authority. What his Authority is in *Scotland*, themſelves beſt know; but you only are to judge of it in *England*, ſince being not ſubordinate to any Power on Earth, there is no Power under Heaven can judge you. The Covenant ties you to maintain in the firſt place the Rights of Parliament, and the Liberties of the Kingdom; and in the ſecond place, the King's Perſon and Authority; and that only in defence of the former, and not otherwiſe. And whereas they expect the King ſhould be received by you with Honour, Safety, and Freedom, I beſeech you, Sir, conſider whether (as the Caſe now ſtands) his Reception with Honour can ſtand with the Honour of the Kingdom, whether his Safety be not incompatible with the Safety of the Commonwealth, and whether his Freedom be not inconſiſtent with the Freedom of the People.

I pray (Sir) take heed leſt that bringing him in with Honour, you do not diſhonour your ſelf, and queſtion the very Juſtice of all your Actions; be wary that in receiving him with Safety, you do not thereby endanger and hazard the Commonwealth; be adviſed, leſt in bringing him home with Freedom, you do not thereby lead the People of *England* in Thraldom.

I pray (Sir) firſt ſettle the Honour, Safety, and Freedom of the Commonwealth, and then the Honour, Safety, and Freedom of the King, ſo far as the latter may ſtand with the former, and not otherwiſe.

Wherefore I ſhall conclude with my humble deſire, That you would adhere to your former Vote; that is, That the King be diſpoſed of as both Houſes of Parliament ſhall think fitting; and that you enter into no Treaty either with the King or your Brethren of *Scotland*, leſt otherwiſe thereby you retard the going home of their Army out of *England*.

The

22 Car. I.

The Answer of the Commons assembled in Parliament, to the Scots Commissioners Papers of the 20th, and their Letter of the 24th of October last.

THAT there might be a firm and lasting Brotherly Union between the Two Kingdoms, is the earnest desire of our hearts; and that our Proceedings may be according to our Covenant, and the Treaties between us: And that our Endeavours have been accordingly, our own Consciences, our Brethren of *Scotland*, and all that know our ways, can bear us witness.

That we may still walk in the same Path, prevent all Misapprehensions, and bring a right understanding amongst us; the Commons assembled in the Parliament of *England*, do return this ensuing Answer to your Lordships Two Papers of the Twentieth, and to your Letter of the Twenty fourth of *October* last: Wherein our end being to give Satisfaction to the Arguments in your Papers, we shall therefore answer the several Particulars in the method we find them: Only to make our whole Intentions the more easily known (the Method you have taken in your Papers not allowing us a clear Connection of the Matters therein contained, and enforcing us to repeat the same thing oftner than we desire) we shall first premise and lay down these following Considerations:

I. First, That your Papers being grounded upon the Resolutions of both Houses, and on the Conference thereupon had, we shall set down the true state of Fact concerning them; which was thus: Upon the 24*th* of *September*, 1646. the Houses passed these Resolutions, (*viz.*) 1. *That the Person of the King shall be disposed of as both the Houses of the Parliament of* England *shall think fit.* 2. *That the Houses do declare, That whatsoever Conference, Consultation, or Debate, shall be with the Commissioners of* Scotland *concerning the Disposal of the Person of the King, it shall not be understood to be any Capitulation in relation to the retarding of the march of the* Scots *Armies and Forces out of the Kingdom, or of any Treaty between the Kingdoms concerning the same.*

Upon the same 24th day of *September*, *A Committee is appointed to meet with a proportionable Number of the Lords in the Painted Chamber, to Confer, Consult, and Debate with the Commissioners of* Scotland, *concerning the Disposal of the Person of the King, if it shall be desired by the* Scots *Commissioners; and this to be communicated to the* Scots *Commissioners by the Members of both Houses, of the Committee of both Kingdoms.* These Resolutions, ordered to be communicated to the Commissioners of *Scotland*, were accordingly delivered to them by the Members of both Houses, that are of the Committee of both Kingdoms, the 25*th* of the same Month.

Upon the 29*th* day of *September* your Lordships by your Paper desired a Conference in these words; *We have perused the Votes of both Houses, communicated to us by your Lordships; and as we did formerly desire in our Paper of the* 11th *of* August *last, so we shall be ready on* Thursday *next to Confer, Debate, and Consult with such as the Honourable Houses have thought fit to appoint: And if their Committee cannot with conveniency meet at that time, we desire it may be so soon as possibly they can.*

By Command of the Commissioners for the Parliament of Scotland,

Jo. Chiesly.

Which

An. 1646.

Which was thus granted; *(viz.)* 1. Octob. *Ordered, That the Committee formerly appointed to meet with the Commissioners of* Scotland, *Do meet this Afternoon at Three of the Clock with the said Commissioners, to Confer, Debate and Consult with them, concerning the Disposal of the Person of the King, according to the former Votes and Declarations of both Houses.*

Upon the first day of *October*, before the Conference did begin, all these Papers were read, and your Lordships were told by our Committees, If you were pleased to say any thing *Herein*, they were ready to confer with you *according to those Resolutions*, so as this Conference was by your consent to be with these Two Limitations; *(viz.)*

1. That it should be about the Disposing of the King's Person as both Houses of the Parliament of *England* shall think fit.

2. That it shall not be understood to be any Capitulation in relation to the retarding of the March of the *Scots* Armies and Forces out of the Kingdom, or of any Treaty between the Kingdoms concerning the same.

And all things in your Speeches and Papers, concerning Change of Fundamental or Monarchical Government, or Uniformity in Church Government, Toleration of all Sects and sorts of Religions; concerning the King's voluntary disposing of himself, (it being granted by you, That his Person is to be disposed by your joint Consent) or concerning the manner of Disposing of him; and all other things of like nature, saving only about the Right of this Kingdom to dispose of the Person of the King in *England*, without the joint Advice and Consent of the Kingdom of *Scotland*, being foreign to the matter of these Resolutions, were improper at this Conference; for our Committee having their Limits, could not expect to hear any such, or were to intermeddle to give an Answer to them.

II. That the matter of the Conference being stated by the Houses, and your Lordships often put in mind, in Answer to your Claim for the Kingdom of *Scotland*'s Right of joint Interest in disposing the Person of the King, That the sole matter thereof was concerning the Two Houses of Parliament of *England* having the Right to dispose the Person of the King in the Kingdom of *England* without the joint Advice and Consent of the Kingdom of *Scotland*: Your Lordships did make your Objections; to which our Committees Answered; your Lordships Replied; and our Committees Answered those Replies: Yet in your Paper you state the Question, as if to be debated on your Resolutions; and place our Committee to make Objections; and your Lordships make the Answer of our Committees to your first Objections, and their Answer to your Replies, as one entire Objection: Your Lordships well knew, an Answer to a Reply may be full as to the Reply, yet not applicable to every part of the first Objection.

III. That your Lordships engaged our Committees at the Conference to make no Report of any thing had passed at the same, till you had delivered your own Answer in writing: And before any Report made by our Committee, or any Paper put into the Houses by you, some of your Lordships did give directions for the printing Three thousand Copies of the Lord Chancellor's Speeches at that Conference, which by the Printers Confessions had been published on *Thursday* the 15*th.* of *October* last, had they not been sent for by an Order of the House of Commons, *Wednesday* the 14*th* of the same Month; after which time, and not before, they received Order from you not to publish them till further directions; which Speeches are since published, and said to be printed at *Edinburgh.*

That

That you printed those Papers which you afterward gave in to the Houses as your Answer to those Votes (which were the Subject of the Conference) sooner than it was possible for the Houses to give an Answer to Papers of that length; as if the Prepossessing of the People were more considered by you than the Satisfaction of the Houses: And if your Lordships had thought fit to have staid for our Answer, we conceive you would not have published those Papers, which is an Action contrary to the Practice of all Publick Ministers, who ought not to publish to the People the Transactions between them and that State to which they are employed: Which we are enforced to represent to your Lordships, and to publish this Answer, it having been so often done by your directions in this Kingdom; and in this present business done after such a manner, neither we, nor any employed by us, having ever done any such thing in the Kingdom of *Scotland.*

IV. That the Interest of *Scotland* in the King, and the *Exercise* thereof in the Kingdom of *England* being of several and distinct natures, are not to be confounded as one and the same thing; for if you grant that you have no Right of Exercise of Interest in disposing the Person of the King (he being in *England*) we shall not dispute your having Interest in him.

V. That the question then was, *Who* shall dispose of the Person of the King in *England*, and not *after what manner* his Person shall be disposed: And it is to be considered in what Condition the King now is, That he hath deserted his Parliament and People, entred into, and continued in a bloody and dangerous War against them; hath not granted those Propositions that by both Kingdoms were sent unto him, as the means of a safe and well-grounded Peace; and therefore is not for the present in a condition to exercise the Duties of his Place, or be left to go or reside where and when he pleaseth: And your Lordships did at the Conference declare, That it was prejudicial to both Kingdoms for the King to go into *Scotland.*

VI. That your Lordships cannot in reason insist, because in our disposing the Person of the King, we may hereby prejudice the Kingdom of *Scotland* (the which was never yet done by us) on such a possibility to claim a joint Right in disposing the Person of the King in this Kingdom, which from the first coming hither of King *James*, now Forty four Years, was never before claimed; when as the Two Kingdoms had not then that Security from each other against all imaginary Prejudices, which might happen through the Abuses of their particular Rights, as now they have, being engaged by Covenant in their several Vocations, mutually to preserve the Rights and Privileges of the Parliaments, the Liberties of the Kingdoms, and the King's Person and Authority, in the preservation and defence of the true Religion, and Liberties of the Kingdoms, as by the Third Article of the Covenant doth clearly appear.

What would your Lordships think, if we should claim joint Right of Interest in your Towns, your Forces, or Money in *Scotland*, upon that Supposition, That possibly you may use them to the prejudice of this Kingdom? Let not the Results of your Arguments for Union, or for the King, be, That the Kingdom of *Scotland* may exercise their Interest in the Kingdom of *England:* Nor let your Expressions obliquely infer, That the Parliament of *England* will not do what becometh them to the King; since all the World doth know, that this Kingdom hath in all times shewed as great Affections to their Kings, as any other Nation.

VII. Be-

An. 1646.

VII. Because your Lordships most insist upon the Covenant and Treaty in this Case, and also throughout all your Answers to those you call Objections, we shall, out of many, insert some of the Expressions in your Papers, concerning the Covenant and Treaty.

(Pag. 5. and 6. of your Papers.) *And unless we lay aside the Covenant, Treaties, Declaration of both Kingdoms, and Three Years Conjunction in this War, neither the one Kingdom nor the other must now look back what they might have done singly before such a strict Union; but look forwards what is fittest to be done by both jointly, for the common good of both, and for the ends of the Covenant, which both are obliged jointly to prosecute and promote.*

And as Reasons may be drawn from the nature of all Associations, so especially from the nature of ours in the Solemn League and Covenant; the Title, Narrative, Articles and Conclusion of it, do all along link together the Interest of the Kingdoms in this common Cause, so much concerning the Glory of God, their own Safety. Union, and Peace, and the Honour and Happiness of the King and his Posterity: Which Ends of the Covenant, both Parliaments as well as other Subjects of both Kingdoms, have obliged themselves jointly and mutually to promote.

Page 6. *So that the ends of the Covenant, upon which the Disposal of the King must needs have a strong influence, are not to be prosecuted by the Two Kingdoms, as by Two distinct Bodies acting singly, but they were united by Solemn Covenant made to Almighty God, and by League each to other, as one entire Body, to prosecute this Cause.*

Page 9. of your Papers. *Wherefore we cannot chuse but obtest, by the Conjunction and Parity of Interests, by the Treaty between the Kingdoms, by the Solemn League and Covenant, that there may be a Conjunction of the Councils and Resolutions of both Kingdoms, in disposing of that Royal Person who is King of both.*

Page 13. *That the prosecution of this War should be with the joint Advice and Consent of both Kingdoms; and according to these grounds a Covenant was agreed upon for the Reformation of Religion, and preservation of the Liberties of the Kingdoms, and of the King's Person and Authority.*

Page 7. *From the Treaty the same thing doth further appear; it being thereby manifest, That our Army was to be levied for the common good of both Kingdoms, in pursuance of the ends expressed in the Covenant.*

Again, Page 7. *So that if the disposal of the King's Person, mentioned in the Vote of both Houses, be intended for the Good, Peace, and Security of both Kingdoms, then it should not be done without the mutual Advice and Consent of both.*

Thus far out of your Papers.

Having thus laid down, That you claim that nothing contained in the matter of the Covenant, or to be done in pursuance of the ends thereof, or that hath a strong influence thereupon, can be done by the Kingdom of *England*, in *England*, without the *Joint* Advice and Consent of the Kingdom of *Scotland*; we shall in the next place lay down the most material things contained in the Covenant; which are, The Reformation of Religion in *England* and *Ireland*; The Extirpation of Popery, Prelacy, Superstition, Heresy, Schism, and Prophaneness; The Preservation of the Rights and Privileges of the Parliaments, and Liberties of the Kingdoms; and to preserve and defend the King's Majesty's Person and Authority, in the preservation and defence of the true Religion, and Liberties of the Kingdoms.

Whence

Whence necessarily follows, That the *Militia* by Sea and Land in the Kingdoms of *England* and *Ireland:* The power of making Peace and War with Foreign States: The King's Consent in the enacting any Law: The Power of the Houses of the Parliaments of *England* and *Ireland* in cases of Judicature upon Delinquents and Monopolies, Impositions, and other Grievances upon the People of this Kingdom: The conferring the great Places of Honour and Trust, making of Peers of Parliament; conferring other Titles of Honour; what Revenue the King is to have in *England* and *Ireland*, and how to be disposed; and whatsoever else is to be done by the King and Kingdom, or by either of them in relation each to other, cannot at any time be acted without the *Joint Advice and Consent of the Kingdom of* Scotland: For the Covenant expresseth in the Third Article, 'To 'preserve and defend the King's Majesty's Person and Authority, in the 'preservation and defence of the true Religion and Liberties of the King-'doms; and for the Reformation of Religion in *England* and *Ireland*, the 'Extirpation of Popery, Prelacy, Superstition, Heresy, Schism and Pro-'phaneness, the preservation of the Rights and Privileges of Parliaments, 'and Liberties of the Kingdoms. It also followeth, 'That the Kingdoms 'of *England* and *Ireland*, as well in things that have no relation to the 'King, as in those which have, can exercise no Powers or Jurisdictions, '*without the Advice or Consent of the Kingdom of* Scotland. The matters of Religion, Privileges of Parliaments, and Liberties of the Kingdoms, comprehending whatsoever is to be acted in the Government of the Kingdoms of *England* and *Ireland*; on this foundation laid in your Papers, the Kingdom of *Scotland* may, when they see time, claim a Right of joint Interest with the Kingdom of *England* in all the things before-mentioned; and except against, and question the Validity of the Ordinances for taking away of the Court of Wards, setling the Militia of the Kingdom of *England* and *Ireland*, for Sale of Bishops Lands, and all other Proceedings in Parliament since the Covenant and Treaty, whereto the Consent of the Kingdom of *Scotland* hath not been had. 22 *Caroli.*

And your Lordships by obtesting in these words, 'That there may be a 'Convention of the Councils and Resolutions of both Kingdoms, in dispo-'sing of that Royal Person who is King of both. And that all lawful and possible means, of which this is one, and a chief one, may be used, which may preserve his Majesty's Person, Honour and Happiness. And from your Proposition, That the King may come hither in Safety, Freedom, and Honour, you do now claim from the Covenant or Treaty a Negative Voice, and Right of *Joint Consent* with this Kingdom, in all things in relation between the King and the Kingdoms of *England* and *Ireland*; which are all comprehended under the words of Safety, Freedom, Honour, and Happiness.

We shall now appeal to the Consciences of our Brethren of *Scotland*, and of all those who have taken or read this Covenant or Treaty, if any such Construction can be made out of them, or any of them; or whether it would have ever entred into the Thoughts of the Free People of this Kingdom, to have made such a Covenant or Treaty, which might any way bear such an Interpretation, so destructive to their Freedoms, as to introduce another Nation to be one of the Estates of this Kingdom, and to have a *Negative Voice* in all things concerning their Welfare; whereby we should at once give up what we have for so many Ages derived from our Ancestors, and what we have endeavour'd to preserve with so great an Expence of Blood and Treasure; and so much the rather, in respect this present Parliament hath not, nor doth claim any thing of this nature within the Kingdom of *Scotland*, nor put any such Construction upon the Covenant or Treaties, in relation to the Kingdom of *Scotland*. And how far this is not only from the Intent, but from the very Words of the Covenant, we shall presently make more fully appear.

An. 1646.

We by the Covenant, in the first Article which concerns Religion, *are to endeavour in our several Places and Callings.*

In the Second, which concerns the Extirpation of Popery, Prelacy, Superstition, Heresy, Schism and Prophaneness, *to endeavour in like manner*

In the Third, which concerns the Rights and Privileges of Parliaments, the Liberties of the Kingdoms, and the preservation and defence of the King's Person and Authority in the preservation and defence of the true Religion and Liberties of the Kingdoms, *to endeavour in our several Vocations.*

The Fourth, which concerns Incendiaries, they are to be brought to publick Trial, and receive condign Punishment from the Supreme Judicatories of *both Kingdoms respectively.*

In the Fifth, concerning the continuing of the Peace and Union of the Kingdoms of *England* and *Scotland*, *We shall each one of us endeavour, according to our Places and Interest.*

In the Sixth and Last, concerning the assistance and defence of all those that enter into this Covenant, *To endeavour according to our Places and Callings*, to perform whatsoever we are obliged to by the Covenant

It seems strange to us, That *England* and *Scotland* being several distinct Kingdoms, and by the Covenant each one being to act in his *several Place, Vocation, Calling and Interest*, that the Kingdom of *Scotland* should from this Covenant entitle themselves to the Right of exercising any *Joint Power in* the Kingdom of *England*; the express words of the Covenant being directly contrary to the Exercise of any *Joint Power*, which was *several and distinct* before the making this Covenant; and the joint exercise of such Power would break the Covenant; because we are thereby obliged in our *several Vocations*, mutually to preserve the Rights and Privileges of the Parliaments, and the Liberties of the Kingdoms; and the exercise of such a *Joint Power*, which doth give a *Negative Voice* to another Nation, in the proceedings in the Kingdoms of *England* and *Ireland*, would be a manifest breach of those Privileges and Liberties: And whereas throughout your whole Papers, this *Joint Interest* is so much enforced from the Covenant, neither that word *Jointly*, nor any other Expression which will bear that Interpretation, is so much as mentioned in the Covenant; and the words, *Each one in his several Vocation, Calling, Place and Interest*, which runs through the whole Covenant, and would have cleared the meaning of it, are *wholly left out* by you; and in all your Recitals of the Covenant, or Arguments drawn from thence, there are *no words to that effect.*

Your other Arguments drawn from the Treaty, That the *Scots* Army was brought into this Kingdom to pursue the Ends express'd in the Covenant; whence you enforce, That whatsoever is to be done by that Treaty, must be by the Consent of the Kingdom of *Scotland*, (because according to the Ends of the Covenant) have been before fully answered, in our shewing how far such *Joint Consent* is both from the express words, and meaning of the Covenant. And whereas you would enforce the meaning of the Covenant to be, That nothing can be done in pursuance thereof, but by *your Joint Consent*, because from the Third Article in the Treaty your Army is to be directed by the joint Advice of both Kingdoms, or their Committees; and from the Eighth Article, That no Cessation or Peace be made by either Kingdom, without Consent of both; and from the Ninth Article, That all matters of difference between the Subjects of the Two Nations are to be determined by joint Consent of both Kingdoms, or their Committees; If *No Things* to be done in pursuance of the Covenant could be done without your joint Consent, the particular and express provision, *That these Three Things* should be done by joint Consent, had been alogether needless.

Your Arguments from the Treaty, against the Power of this Kingdom's acting in the things mentioned in your Papers, without the Consent of the Kingdom

Kingdom of *Scotland*, are particularly answered in the places where you alledge them. 22 *Caroli.*

And your Lordships may well remember, That your first denying of the Power of the Kingdom of *England* to act without your *Joint Consent, was not first set on foot concerning the disposal of the Person of the King in* England: And therefore by reason of some Papers and Speeches of yours concerning the Propositions for Reformation of Religion, and the Militia of the Kingdoms of *England* and *Ireland*, and concerning some of your Nation having Offices and Places within this Kingdom; both Houses of Parliament for the vindicating of the Right of the Kingdom of *England* from the Construction then and now put upon the Covenant and Treaty, did upon the 29*th* of *June*, 1646. declare as followeth:

Die Lunæ 29. Junii. 1646.

'Whereas the Lords and Commons assembled in the Parliament of 'England, in the Name and on the behalf of the Kingdoms of *England* and *Ireland*, and the Commissioners of the Parliament of *Scotland*, in 'the Name and on the Behalf of the Kingdom of *Scotland*, have thought 'fit to send to the King, The humble Desires and Propositions for a safe and 'well-grounded Peace, agreed upon by the Parliaments of both Kingdoms 'respectively; the Lords and Commons of the Parliament of *England* do 'declare, That it is not their Intention that any Construction should be 'made thereupon, as if either Kingdom had any Interest in the matter of 'each others Propositions, or in the Legislative Power of each other con'cerning any of the said Propositions; but that it remaineth distinct in each 'Kingdom respectively: And that notwithstanding any joint proceedings 'upon the said Propositions, either Kingdom hath Power of themselves to 'continue, repeal, or alter any Law that shall be made upon the said Pro'positions, for the good and Government of either Kingdom respectively. 'And it is hereby declared, That both Houses are fully resolved to maintain 'and preserve inviolably the Solemn League and Covenant, and the Trea'ties between the Kingdoms of *England* and *Scotland*.

This Declaration being sent to your Lordships, and we receiving no Answer, conceived you rested satisfied therewith. And we desire you further to remember, That whereas in the Year 1641, divers things concerning the Kingdom of *Scotland* were debated in *England*, your Lordships did then (for the saving the Rights of *Scotland*, that we might not claim any *Joint Right* in things concerning that Kingdom) declare, *That neither by your Treaty with the* English, *nor by seeking your Peace to be established in Parliament, nor any other Action of yours, you do acknowledge any dependency upon them, or make them Judges to you or your Law, or any thing that may import the* smallest Prejudice *to your Liberties; but that you came in a free and brotherly way, by your Informations, to remove all doubts that might arise concerning the Proceedings of your Parliament; and to join your Endeavours in what might conduce for the Peace and good of both Kingdoms, no otherwise than if by occasion of the King's Residence in* Scotland, *Commissioners in the like Exigence should be sent thither from* England.

And as we did rest satisfied with those desires of yours, and this present Parliament never did, nor yet do claim any Exercise of the Power within the Kingdom of *Scotland*, which you desire within this Kingdom, we cannot but in Justice expect the like Equity from that Kingdom.

VIII. That by your Arguments for a Right of joint disposing of the Person of the King in *England* (which must relate as well to the Persons that are to be about him, as the Place where he is to reside,) you seem to claim to have an equal number, or such a number as you shall think fit, of the *Scots* Nation, to be of the King's Council, and of his Bed-chamber, and other Officers about his Person and his Successors in the Kingdom of *England*, as a Right of the Kingdom of *Scotland*.

An. 1646.

IX. And concerning your desires for the speedy payment of 200000 l. mentioned in your Papers of the 24th of October, the Parliament of England is not engaged to pay you 200000 l. at one time, but only that the first 100000 l. thereof be paid unto you upon the marching of your Army and Forces out of this Kingdom, at such time and place as shall be hereafter expressed.

That the second 100000 l. shall be paid by 50000 l. and 50000 l. the first 50000 l. at the end of Three Months after the payment of the 100000 l. and the second 50000 l. at the end of Nine Months after the said first payment; yet to manifest our willingness and readiness to comply with our Brethren of *Scotland*, we have for above Six Weeks last past spent a great part of our time to borrow 200000 l. which if we cannot speedily obtain, we assure our selves our Brethren of *Scotland* will rest satisfied with so much of the 200000 l. as we are able to pay for the present. But we most earnestly desire, That whilst some parts of your Papers press us for the Money, the Body of those Papers, and your Speeches at Conferences may not obstruct the Loan. The people lend their Money on belief, That there will be no Breach amongst us; That the *Northern* Counties, so considerable a part of this Kingdom, may not be destroyed; That the Kingdom will be eased of the Burthen of your Army; That we might be the better enabled to send Relief to *Ireland*: Now if the People collect out of your Speeches and Papers, That you who are the Commissioners for the Kingdom of *Scotland*, have doubt of a Breach amongst us, and of a second War, you do your selves give occasion of obstructing the means of obtaining Money, for which you so much press.

And thus having premised these necessary Considerations, we come to the Particulars in your large Paper.

We do affirm, *That the Kingdom of* Scotland *hath no Right of Joint Exercise of Interest in disposing of the Person of the King in the Kingdom of* England: *For England* clearly being a free Kingdom, no other Kingdom hath Right of Exercise of Interest in it, but by Contract: And by how much any Kingdom hath otherwise Right of Exercise of Interest in it, by so much it is not free. Your Lordships will grant, the disposing of the Person of the King is an Exercise of Interest; and you did grant at the Conference (though it be now left out in your Papers,) That the Kingdom of *Scotland* hath no Right of Exercise of Interest in *England*, but by the Covenant and Treaties; which Covenant and Treaties give *no Joint Power to the Kingdom of* Scotland, concerning the disposing of the Person of the King within the Kingdom of *England*; but doth oblige both Nations to preserve, and *not confound* the Rights and Liberties of each, as by the Third Article of the Covenant will plainly appear; and the last Treaty is for your coming into *England* to assist us, that we might enjoy our particular Rights and Liberties.

The Words of the Third Article of the Covenant are, *We shall with the same sincerity, reality, and constancy, in our several Vocations, endeavour with our Estates and Lives mutually to preserve the Rights and Privileges of the Parliaments, and the Liberties of the Kingdoms; and to preserve and defend the King's Majesty's Person and Authority, in the preservation and defence of the true Religion, and Liberties of the Kingdoms: That the World may bear witness with our Consciences of our Loyalty, and that we have no thoughts or intentions to diminish his Majesty's just Power and Goodness.*

From whence it is most evident, That the Rights and Privileges of the Parliaments, and Liberties of the Kingdoms, are in the *first place* to be preserved; and this every one is to do in his *several Vocation*, and not to intermeddle within each others Precincts, but when and so far forth as they are *Duly* called thereunto, nor with each others proper Rights and Interests, which we are bound to preserve, and to preserve *Distinct*, else we break our Covenant; and we are to preserve the King in his Person and Authority *Relatively*, (viz.) *In the preservation and defence of the true Religion and Liberties of the*

the Kingdoms: And we do not desire to take away your Right of Interest in the Person of the King; but we say, You have no *Exercise* of that Right, *the King being in England:* And we are so far from Claiming any Right for the Kingdom of *England* in this case, which in the like we would not give to our Brethren of *Scotland*, as we do freely and willingly declare, That if the King were *Duly* in *Scotland*, we should not claim any Joint Interest in disposing of his person *There*. 22 *Caroli.*

And if your Arguments for strict mutuality were to the question, you might with much more reason have offered, That the King should be Six Months with us without your Consent, your Army having disposed of him Six Months without our Consent; and after that time then to have inferred a joint Consent. Your Lordships will not think but that both Houses of the Parliament of *England* may as well be trusted with the disposing of the Person of the King in *England*, as the *Scots* Army.

Your Discourse, That the Person of the King is not to be restraind from his voluntary coming to either Kingdom, when the necessary Affairs of the Kingdoms do require it; is not to the question, and not applicable to the Condition in which the King now is, as is fully declared in the Fifth Consideration.

Your Instance, That Two being associated of Lands, Stock, or the like (for those of Parent, Master, and Servant, have no relation to the present Debate) one may not dispose of them without the Consent of both; and thence infer, Much less may we, being associated, dispose of the Person of the King without your joint Consent; these are not to the Case in question, but do trouble the right understanding of it; for we are associated *in some common Ends* for the good of both; but not associated in that which is our *several, distinct, and particular Rights*, which is the only matter before us: And the disposing of the Person of the King in the Kingdom of *England*, according to the Case in question, is the particular Right of the Two Houses of Parliament. The Kingdom of *Scotland* hath no more Right of joint Exercise of Interest of disposing the Person of the King in the Kingdom of *England*, than they have Right of joint Exercise of Interest in our Inheritance, Lands, Stocks, or the like, which your selves bring as Examples to this Case.

From our Declaration of the 5*th* of *August*, 1645. sent to the Lords States-General of the *United Provinces*, as recited by you, (*viz.*) *They were united by Solemn Covenant made to Almighty God, and by League each to other, as one entire Body to prosecute this Cause*, you cannot infer your *Joint Right* of disposing the Person of the King in *England*; for that Declaration was in answer to an Embassy from the Lords *States-General*, desiring to be admitted as Mediators for a Year; which by the Eighth Article of the Treaty we were not to make, without the joint Consent of the Kingdom of *Scotland:* And the words are not, *That we are made one entire Body in all our Rights and Liberties*; but, to prevent any such Construction as you put upon them, the words are, *As one entire Body to prosecute this Cause:* So as the being one entire Body, is, *As to prosecute the common Cause*; which they may well do in their several Vocations and Callings, without confounding the several Interests of the Kingdoms, and not to be one entire Body in our particular Rights and Liberties, which is the only thing in question. And as to that you call a notable Instance in that Declaration, viz. *That by the Covenant both Houses of Parliament, and many Thousands of other his Majesty's Subjects of* England *and* Ireland, *stand bound as well as we to hinder the setting up of the Church-Government by Bishops in the Kingdom of* Scotland: *And that we as well as they stand bound to endeavour the Extirpation thereof in* England *and* Ireland: We desire it may be observed, That that Expression in the Declaration is according to the Tenor of the Covenant, which obligeth us to act in our *several Vocations*, without confounding the particular Interests of the Kingdoms; and no words in that Declaration infer any other sense; and your Inferences from the Covenant are directly against the Covenant, as doth before appear.

The Eighth Article of the Treaty is, *That no Cessation, nor any Pacification or Agreement for Peace whatsoever, shall be made by either Kingdom, without the mutual Advice and Consent of both Kingdoms, or their Committees in that behalf appointed*;

An. 1646. *pointed; who are to have full Power for the same, in case the Houses of the Parliament of* England, *or the Parliament or Convention of Estates in* Scotland *shall not sit.*

Your Lordships Inference from this Article, That because we cannot make Peace without your joint Consent, we cannot therefore dispose of the Person of the King in the Kingdom of *England*, without your Consent, is thus clearly answered: The not making any Cessation, Pacification, or Agreement for Peace without you, and our disposing the Person of the King without you, do consist well together; and it cannot from hence be inferred, That therefore the place where the King shall reside until this Peace were made, he being in *England*, ought not to be at the Appointment of the Parliament of *England*.

We know your Lordships can and will witness with us, That since our Covenant and Treaty we have not received any *Dignities or Offices* from the King, nor suffered any *Foreign Agents* to interpose in this Cause, or any Messengers to pass between the King and *Queen*, or sent any Committees to the King, without your Consent, or done any thing with him that may admit colour of our making Peace without your joint Consent: But if disposing the Person of the King in *England* without joint Consent, be a making of Peace, and a Breach of the Treaty, then it unanswerably follows, That your Army hath made Peace with the King, and broken the Treaty, for they have disposed of him without our Consent, and since our Votes to the contrary.

If your Lordships had been pleased to have set down in your Paper the Ninth Article, you would never have drawn any Argument from thence for your joint Right in disposing the Person of the King in *England*. The words are, *That the Publick Faith of the Kingdom of* Scotland *shall be given to their Brethren of* England, *That neither their Entrance into, nor their Continuance in the Kingdom of* England, *shall be made use of to any other Ends than are therein expressed in the Covenant, and in the Articles of this Treaty. And that all matters of difference that shall happen to arise between the Subjects of the Two Nations, shall be resolved and determined by the mutual Advice and Consent of both Kingdoms, or by such Committees as for this purpose shall be by them appointed, with the same Power as in the precedent Article.*

Now from the very words of the Eighth and Ninth Articles, the differences to be resolved and determined, are between the *Subjects* of the Two Nations: And in case the Two Houses of the Parliament of *England*, or the Parliament, or Convention of Estates in *Scotland* do not sit, are to be resolved and determined by their Committees who (as your Lordships construe the Article) would have Power finally to resolve and determine the Rights of both Kingdoms in the greatest Cases, and even without Instructions; the Cases being so various, as the Parliament could not possibly foresee all that might happen, to give Instructions in them: And therefore the Article, to avoid any such Construction, doth purposely provide, That the Resolving and Determining of the Differences in this Article, are only to be the Differences between *Subject* and *Subject*. We shall not think that our Brethren united with us in Covenant and Treaty, coming into the Kingdom to our Assistance, will insist to claim Right of Joint Interest to dispose of the Person of the King, he being in this Kingdom, and alledge the Ninth Article of the Treaty for it, which from the beginning to the ending provides against it: Your Lordships may with as much reason argue, That when you have possession of our Towns, or other Rights, if you do differ with us about them, you may, because you differ, claim joint Interest in them, for that all differences are to be resolved by the joint Advice and Consent of both, and alledge the Ninth Article of the Treaty for it. And now we hope your Lordships will rest satisfied, That we claim nothing against the Covenant, Treaty, or our Declaration of the 5th of *August*, 1645. sent to the Lords *States-General of the United Provinces*, but in pursuance of them.

And as to your Lordships Argument, That you may expect a Conjunction of Councils in disposing the Person of the King, because the Houses did think fit, that in the managing of this War there should be a Conjunction of the Councils of both Kingdoms, in reference to the *English*, as well as unto the

the *Scotish* Forces: Your Lordships well know, the Houses joining your Lordships in their Councils in managing their *English* Forces, was the single voluntary Act of the Two Houses, and not the joint Act of both Kingdoms, and was determinable at the pleasure of the Two Houses, and practised accordingly; and whensoever the Houses pleased, they did dispose their Councils and Forces without your Consent; and therefore a joint Interest of both Kingdoms cannot be argued out of it. Do you think if you had claimed it as a joint Right of Interest of the Kingdom of *Scotland*, that we should ever have joined you in our Councils, or governing our *English* Forces? It is most true, we did invite your coming to our Assistance, on Principles of common Interest; we did let you know, the one Kingdom cannot enjoy a firm Peace whilst the other is in War; we did put you in mind of the Affection and Duty which becometh Brethren: We still persist on the same grounds, and we most earnestly desire you to hold the Principles of common Interest, *so understood*; and then we shall hear of no further Claim to the peculiar Right of the Kingdom of *England*, as certainly we shall make none to the peculiar Rights of the Kingdom of *Scotland*. 22 *Caroli.*

Your Lordships speak of espousing our Quarrels; and at the Conference, and in your Papers, so often mention your forsaking your own Peace for us: (Not to look back on former Times) we desire you to remember, that the first part of this War was made against the Kingdom of *Scotland by the King*, and not by the Kingdom of *England*; that the Two Houses of Parliament did assist to procure your Peace, and as an unparallel'd Testimony of their Brotherly Affection, did give you Three hundred thousand Pounds.

And although it were not so often remembred by your Lordships in your Papers, yet we should not forget the Love of our Brethren in coming to our Assistance, and shall return any measure of Conjunction of Interest, that we have had (not got) from you, but hazard our own Peace for yours, and requite every Kindness you have done, or desired to do for us: And this your desire, That the same measure of Conjunction of Interest be given to you, which was got from you, may satisfy you, that the measure of Conjunction of Interest is upon common Principles, and not in the Exercise of each others particular Rights; for we have neither had nor do desire any particular Right in the Kingdom of *Scotland*; and therefore you by your own Argument ought not to desire any particular Right in the Kingdom of *England*. And do therefore obtest, By the common good of both Kingdoms; by the Love of Brethren; by the Treaty between the Kingdoms; by the solemn League and Covenant; by the Law of Nations; by Benefits formerly received and acknowledged; and by that universal Law of a Christian Life, (*viz.*) To do as you would be done unto; (which we desire you seriously to weigh;) By all these, and by whatever else may be obliging, we desire you not to claim to dispose of our particular and peculiar Rights; not to render us suspected with the People towards the Person of the King; not to do that which may strengthen the hands of any Malignant Faction amongst us; not to publish such things as may sow the seeds of a Disunion, which will be equally destructive to both Kingdoms; not to think it our duty alone to keep the Covenant; and not to forget the Honour, Freedom, and Safety of *both the Kingdoms*.

Your Lordships say, You acknowledge you are to presume the best concerning our Intentions, but are not therefore to part with any Interest or Security, because we are honest and faithful. We conceive it unreasonable you should, and we never desired it; but if you be not to part with any of your Rights, are your Brethren of *England* to part with any of theirs? Should you claim that from them, which your selves say they ought not to claim from you? If you are to presume the best, what ground have you to suspect the worst, and make Suppositions that we will abuse our Rights? Indeed, my Lords, your Expressions in your Paper, That your Army by their Oath of Allegiance, your Committee of Estates by their Commission, your Officers by their Military Oath, ought to defend the King from *Harms*

An. 1646. *and Prejudices*; your often repeating at the Conference, That the King came to your Army for *Shelter and Defence*, and therefore you are to preserve him; may endure such an Interpretation, as if you desired the people should believe that the King needs Shelter, Defence, and Preservation from the Kingdom of *Scotland*, and the *Scots* Army, against the Two Houses of the Parliament of *England*; and that the Parliament of *England* is more to be suspected, and less confided in, than the *Scots* Army. But if this be far from your thoughts, as we hope your Lordships will say it is, let it be also from your Expressions, from which such Inferences may be drawn. To that you say, the entring into the Covenant was to wipe off the Calumny and Aspersion of Rebellion, it hath no relation to the question in debate: Neither do we find any ground how or why the Parliaments of either Kingdom could have been taxed with Rebellion, though they had never joined in this Covenant; or if any such Aspersions could have been deservedly cast upon them, how the Covenant could have wiped them off.

We have already answered what you here repeat, for the King's voluntary Residence in either Kingdom; and have already told you (with the Reasons why) that it is not to the Question: Neither is the King in a condition for the Exercise of the Duty of his Place: But if he were, your Lordships may rest assured, the Two Kingdoms will never differ about his residing in the Kingdom of *Scotland*, for his doing the Duties of his Place there.

Your Lordships proceed, That it could not be expected from the Army under the Command of Sir *Thomas Fairfax*, (if they were in *Scotland* for your Assistance in like Case, as your Army is for ours) to deliver up the Person of the King, neither can it be expected from your Army.

This Argument might have been urged to us, if we had ever made any Allegation to that effect: But we shall say (even your Lordships own word) the Army under Sir *Thomas Fairfax*, in the like case, on the like Resolution of the Parliament of *Scotland*, ought to deliver the Person of the King in *Scotland*, to be disposed by the Parliament of *Scotland*. And now your Lordships receiving Satisfaction in this your main Argument, we shall not doubt but you will acknowledge our Right, as we do yours, and proceed accordingly.

In your next Argument you return (with an heavy Tax upon us) to the Law and common Practice of all Nations, not to deliver the meanest Subject fled to them, though for the greatest Crimes; and amplify it by our refusing the Act of Remanding, in the Fourth of King *James*: And if the meanest be not to be delivered, how will the World abroad condemn your Army for so *Base and Dishonourable an Act*, to deliver up the King, having cast himself into your hands, to be disposed at our Arbitrement. For (of us) your words of another Nation must be taken, we claiming the Right of disposing of him in *England*.

This rightly understood, will give Satisfaction to all the World in the Justness of our Desires; and we shall put the Substance of the Argument in such words, as in rightly placing the Strength of it, none may be deluded.

It is thus: Every Kingdom challengeth the disposal of the Persons within their own Kingdom, though they be the Subjects of another Kingdom: And on this ground it is clear, That the Kingdom of *Scotland* hath not the disposal of the meanest of their own Subjects, in whom they have the sole Right, that Subject being in the Kingdom of *England*; much less the disposal of the Person of the King, who is in *England*, in whom you allow the Kingdom of *England* to have a joint Right.

[*See Page* 361.] Your

Your Army in *England* (we follow your Argument on the Law of Nations) cannot be considered in any other condition than our own Army; And will any Nation say, if the King were in our Army, that it were the least baseness or dishonour, (but their duty) for them to deliver up the Person of the King to be disposed by both Houses of Parliament? The King is not in the Kingdom of *Scotland*, and your Army is in the Kingdom of *England*; Is it not by your own Argument dishonourable (to say no more) for us not to dispose of the King in *England*? And we are confident your Lordships will rest satisfied, that there was no need of that expression, that the two Houses of Parliament should claim or require that, which was *Base or Dishonourable* for you to do. To what you say that the King *cast* himself upon your Army, and use the like Phrases in so many places of your Papers; we shall only say, we had rather enjoy our own Rights, than debate upon what *Grounds* the King came to your Army, or if he had none, why he should think himself *more sure* in that Army, than in that of Sir *Thomas Fairfax*, or in that English Army that joined with yours in the service before *Newark*: Or why Monsieur *Montreul* a *French* Agent, to whose Lodging the King first came, was so many weeks at *Southwell*, the head Quarter of your Army before *Newark*, notwithstanding exceptions were taken by the *English* Committee, against his the said Agent's being there.

And now we come to those you call Objections, which being of your Lordships penning, and also the Answers to them, may be the more easily suited to your desires. But the matter in debate being, that the Kingdom of *Scotland* hath no right of Joynt exercise of Interest in disposing the Person of the King in the Kingdom of *England*. We shall place this our Assertion before your several Arguments or Objections against it, and then give Answers to them.

ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no right of Joint exercise of Interest in disposing the Person of the King, in the Kingdom of* England.

1. Objection or Argument of the *Scots* Commissioners.

THAT *it is sufficiently known, That the* Scotish *Army came not into this Kingdom in the Nature of Auxiliaries; for when it was desired by the Parliament of* England, *that the Kingdom of* Scotland, *should send an Auxiliary Army into this Kingdom, to be subject to the Directions and Resolutions of both Houses, it was absolutely refused, as may appear by the several Papers about that purpose yet extant; The Kingdom of* Scotland *did foresee, and consider how prejudicial it was to forsake their own Peace, and what infinite troubles, losses, and unavoidable danger, their engagement with the Parliament of* England, *against so powerful and prevailing an Enemy would bring upon the Kingdom of* Scotland, *and as they regarded not the large Offers, nor the Threats of the other side for all their Prosperity, so there was no offer of Pay, or other worldly Advantage whatsoever from the Houses of Parliament, which could have induced them to undertake so hazardous and desperate a War. It was the good of Religion, King, and Kingdoms they set before their eyes; in order to which end they accounted nothing too dear unto them, and having resolved to ingage in this Cause, for assistance of their Brethren therein, they did not stand upon Conditions, but without respect to the season of the Year, the great strength of the Enemy, and other discouragements, they did in a short time levy an Army at their own charge, and because of the many Burthens then lying upon this Kingdom, were content for the present, to accept of a Summ towards the monthly entertainment of that Army, amounting to little more than half Pay, and to supercede all demands for further recompence, till the Wars shall be at an end. And seeing the Kingdom of* Scotland *was to quit their own Peace, and equally with* England, *to undergo the hazard of the War, it was found reasonable, that the Prosecution thereof and the making of the Conditions of Peace after the War, should be with joint advice and consent of both Kingdoms, and according to these grounds, a Covenant was agreed upon for the Reformation of Religion, and for Preservation of the Liberties of the Kingdoms, and of the King's Person and Authority, together with a Treaty,*

An. 1646. *wherein it is declared that the* Scotish *Army shall be commanded by a General appointed by the Estates of* Scotland, *and shall be subject to such Resolutions and Directions as are and shall be mutually agreed upon, and concluded between the Kingdoms, or their Committees in that behalf appointed for pursuance of the ends of the Covenant, of which one is to defend and preserve his Majesties Person.*

Answer to the first Objection of the Scots *Commissioners.*

WERE the things in this Objection so as they are set down, yet it would not follow that therefore the *Scotish* Army ought not to deliver up the King to be disposed by both Houses, without the joynt advice and consent of the Kingdom of *Scotland.* And here we might leave all that is contained in this Objection; but for that many things in it, when rightly recited (now at least exceedingly mistaken) are proofs for our Assertion; and because from the matter of fact, mis-recited, there are many reflections upon us of ingratitude. We shall make a true state of this business from the truth of the matter of fact.

By the fourth Article of the Treaty, *the charge of Levying, Arming, and bringing your Forces together, furnished with a Train of Artillery, was to be Computed according to the Rates, as if the Kingdom of* Scotland *were to raise them for themselves, and for the present to be done by the Kingdom of* Scotland *upon account to be repayed, or satisfied, when the Peace of the two Kingdoms is setled,* yet who shall read the words in your Paper (*viz.*) that you did in a short time levy an Army at *your own Charge,* would little have expected, that that which you call your *own charge,* was to be *repayed.*

The fifth Article *that this Army be payed as if the Kingdom of* Scotland *were to employ the same on their own occasions, and towards the defraying thereof, it not amounting to a full months pay (these are the words) not as now in your Paper, LITTLE MORE THAN HALF A MONTHS PAY, Be monthly paid thirty thousand Pounds Sterling by the Parliament of* England, *and if the State of* Scotland *shall have just cause to demand further satisfaction, when the Peace of both Kingdoms is setled* (for what?) *for the pains, hazard, and charges they have undergone in the same, they shall by way of Brotherly Assistance have due recompence made unto them by the Parliament of* England.

And when we finally agreed upon a sum in gross, the residue of the whole Months Pay proportioned according to your own Rates, was given in, and claimed by your estimate, and together with all other demands for raising and maintaining your Forces, and for your pains, hazard, and charges satisfied by us, in the gross sum of four hundred thousand Pounds agreed to be paid unto you in lieu of all demands whatsoever. Can we now in reason conceive, that such an Army in the Kingdom of *England* so to be raised, and paid wholly by the Kingdom of *England,* should claim any right to detain the Person of the King in their hands, from his being disposed in *England,* by the two Houses of Parliament, if we had foreseen as much as your Lordships say you did, there would have been no such debate as now is?

It is most true, that by our Declaration of the 8. day of *November* 1642. and 27 of *June* 1643. when we invited your coming in, and when on the 19 day of *July* 1643. our Committees went to treat with you, to come to our assistance (whose arrival at *Edinburgh* was the 7. of *August,*) our Enemies were powerful and prevailing. It is also as true that all might have been lost, had not the good providence of Almighty God, mercifully and seasonably interposed in our greatest straights, and mightily changed the State of our Affairs between the time of our invitation of you, and your coming in: between which time ninety three Colours of Horse of the Earl of *Newcastle* his Army, were utterly defeated in *Lincoln-shire,* his old Army broken before *Hull,* the King's Army (where himself was in Person) wasted at the Siege of *Glocester,* That Siege raised, the City relieved, and that Army broken at the Battle of *Newbery,* with some other happy Successes at *Alton, Arundal,* and other places; all which was to the great weakning of the Enemy and strengthning of our Party.

And whereas you will seem to intimate that for the good of Religion, King, and Kingdom, you did voluntarily forsake your own Peace, though you had considered how prejudicial it would be, and what infinite loss, trouble and danger, your ingagement with the Parliament of *England* would bring to the

Parliament of *Scotland*; yet we desire you again seriously to consider whether *Scotland* could have continued in Peace, if the King had here prevailed against us; had not you more hazarded your Peace by sitting still, and letting a powerful and prevailing Enemy invade *Scotland?* Hath not last Year's Experience shewed you, what a Party he might have found there? Had it not been a greater Charge to defend your selves upon your own account, than by assisting this Kingdom to prevent your own ruin at our Charge? We cannot believe you can think you were out of Danger, though it was then your Lot to be the furthest from it of the two Kingdoms.

We did never imagine, that the Treaty (no way dis-advantageous to you) should be lookt upon as it seems it is, by these Words, *We stood not upon Conditions*; as if we ought to give you much *better Conditions:* Certainly if we, without any other relation, look only into the nature of the Conditions, Auxiliaries might be had (and are daily had in other parts and of your Nation) on the same or lower conditions. We should most gladly have omitted these things, but that they are mis-recited in your Paper, and so often prest upon us: And we hope we shall both take notice of mutual Obligements to make our Brotherly Union more firm.

We shall before the World at all times manifest, that we shall go along with them that set the highest value on your Assistance, but we desire your Lordships would not, by insisting upon your own Deserts upon mistaken grounds, lay Reflections of Ingratitude upon us, of which you know we are not guilty. We have before so fully answered your Arguments from the Covenant and Treaty, and shewed that they directly make good our Resolutions, as we shall say nothing in this place to them; but observe, that in this Argument you mention the Defence of the King twice from the Covenant, yet in both places leave out the Words, *in the Preservation and Defence of the true Religion and Liberties of the Kingdoms.*

ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no Right of joint exercise of Interest in disposing the Person of the King, in the Kingdom of* England.

2. Objection or Argument of the Scots Commissioners.

That although his Majesty riding one days journey, might wholly subvert the grounds of this Objection; Yet we shall not insist upon this Answer, because we conceive it toucheth not the true state of the Question. It hath been already cleared what is not, and what is the state of the Question, which being remembred, we do assert, That the King coming voluntarily to the Scots *Army, they cannot in duty deliver him against his will to the Houses of Parliament, without Consent of the Kingdom of* Scotland; *for the being in* England *takes not away the relation between the King and his Subjects of the Kingdom of* Scotland, *nor ought it to impede the performance of the mutual Duties founded upon that Relation, for Allegiance hath no limitation of place, being grounded upon the Law of Nature as well as the Law Municipal, and so is rather universal than local; the difference of Place takes not away the Relation and mutual Duties between Parents and Children, and it is not the Place, but the Relation which gives Interest to the disposing the Person of the King. As his being in* England *takes not away the Relation between him and his Subjects of* Scotland, *so it doth not infringe the mutual Obligations and solemn Engagements between the Kingdoms for joint Counsel in prosecution of the War, and setling of Peace: The King's coming to the* Scotish *Army being an emergency of our joint War, and the right disposal of his Person, the only means (for the present) of our joint Security and Peace; neither can the King's being in* England *prejudge any Right or Priviledge of either Kingdom. It is the fundamental Right and Priviledge of the Parliament of* Scotland, *and the Liberty of that Kingdom, (as we acknowledge it to be the Right and Priviledge of the Kingdom of* England) *that the Person of their King ought not to be disposed of, but with their Advice and Consent. The place of the King's Residence (as was answered to us, when in the large Treaty it was desired his Majesty might sometime reside in* Scotland) *is at his own Election in either of the Kingdoms, as exigence of Affairs shall require, and be*

An. 1646. *he shall think fit; or else must be determined by the mutual Advice and Consent of both Kingdoms.*

From all which grounds it is apparent, that the Kingdom where he resides for the time, may do no Act which may hinder his Majesty to perform the Office and Duty of a King to the Kingdom from which he is absent in Person, nor impede him to repair to that Kingdom, when the Affairs thereof shall necessarily require it: otherwise if the Kingdom where his Majesty resides hath the sole Interest and Right to dispose of his Person, the Estate of the Parliament of Scotland *might upon former Occasions, and may now, in case the King and Prince shall repair to* Scotland, *lawfully detain them there, and make it the place of the ordinary Residence of them, and their Posterity, without the Consent of the Kingdom of* England, *which we acknowledge could not be done, without a manifest Prejudice and Injury to this Kingdom. Wherefore we cannot but conclude, that wheresoever the King be, in* Scotland *or* England, *he being the King of both, ought to be disposed of for the good, and with the consent of both Kingdoms: And if it be considered, That the* Scotish *Army was invited and called into this Kingdom by both Houses in a Treaty, for prosecuting the ends of a solemn League and Covenant, whereof one is to preserve and defend his Majesty's Person, there can remain no doubt concerning the Exercise of that Right and Interest in this Kingdom: And therefore it seems very strange, that when upon invitation they are come into* England, *as for other ends, so to defend his Majesty's Person, their being in* England *should be made use of as an Argument why they should deliver up the Person of their King, to be disposed of as both Houses shall think fit; whereas it is alledged that the Treaty extends no farther than to the ordering and regulating of the* Scotish *Forces in relation to the War; although this be really answered from the nature of the thing, the King's coming to the* Scots *Army being an emergency of the War, and so the delivering of his Person comes under the Regulation and Direction of both Kingdoms, or their Committees, as an act of the* Scotish *Army, yet that all doubt may be removed, we farther add, That it is clear from the third Article of the Treaty, that the* Scotish *Army is to receive the Directions of both Kingdoms, or of their Committees, in all things which may concern the pursuance of the ends of the Covenant and Treaty, whether in Relation to Peace or War. In the Eighth Article of the Treaty, no Cessation, Pacification or Agreement for Peace whatsoever is to be made by either Kingdom, or the Army of either Kingdom, without the advice and consent of both Kingdoms.*

And in the ninth Article, all differences arising between the Subjects of the two Nations are to be resolved and determined by the mutual advice and consent of both Kingdoms.

Answer to the second Objection or Argument.

HErein is repeated what you have said before, some things are new, as that it begins with, (*viz.*) *Although his Majesty riding one day's Journey might wholy subvert the grounds of this Objection, yet,* &c. But we shall never suppose the King being in *England*, our Brethren of *Scotland* will take him out of this Kingdom, neither will suppose what differences between the two Kingdoms one day's Journey might make: It's one thing if the King had come *duly* unto you into *Scotland*, and clear another his coming to your Army in the Kingdom of *England*. You here repeat the King's voluntary coming to your Army, and we say we desire not to debate on what *Grounds* he came; We never said his being in *England* took away your relation to him, but that you have no right of disposing of his Person in this Kingdom; and by a former Argument of your own from the Common Law and Practice of all Nations, his being in *England* gives us a Right, if we had it not otherwise. And we desire your Lordships to consider, that by your Argument of the relation between the King and his Subjects, when you also assert the right of mutual *performance and exercise* of them, as well without as within each Kingdom respectively, in *England* as *Scotland*, or in *Scotland* as *England*, you *confound the particular rights* of the two Kingdoms, which would be a *great violation of the Covenant:* And if you may argue for your joint consent because the King's coming to you was an Emergency of War, you may by the same Reason claim a joint Interest in the disposing the Northern Counties, and say they fell into your hands as an *Emergency of War*.

If in your Allegation of the fundamental Right of the Kingdom of *Scotland* and the Liberty of that Kingdom, you mean in *Scotland*, we did never dispute against it; but if you mean in *England*, then if we had taken the King before our Conjunction by the Covenant and Treaty, our disposing of him without your Consent had been against the fundamental Rights of the Parliament of *Scotland*, which we are confident you will not say.

And your Lordships having agreed at the Conference, that the Kingdom of *Scotland* hath no right of exercise of Interest in the Kingdom of *England* but by the Covenant and Treaty, and the two Houses of Parliament did not enter into that Conjunction with our Brethren of *Scotland*, to put the particular Rights of the Kingdom of *England* into a worse, but into a better condition by that Conjunction, and the Covenant and Treaty do provide accordingly; and that we have not parted with this Right by the Covenant and Treaty, we have formerly shewed.

You cannot apply the large Treaty, concerning the King's voluntary residency, to this question, whilst the King is not in a condition of exercising the duties of his Place, or disposing of his Person into any of his Kingdoms at his own Election, as in times of setled Peace; and if the King had been in *Scotland* in such a case as ours is, we should not have said more to your detaining of him, than we desire you should now say to us. And whereas your Lordships say, *It seems strange that you being come in upon invitation, as for other ends, so to defend his Majesty's Person, your now being in* England, *should be made use of for delivery of the King to be disposed by us*, we understand not why the disposing of the Person of the King in *England* by both Houses of Parliament, and the defence of his Person according to the Covenant, may not well consist together. We demand to dispose of the King, because the King is in *England*, and you of all other, who come to defend our Rights, should not violate them; and it would be much more strange, if any should think that when we invited you, that by your assistance we might preserve our Interests, that we should invite you to dispose of our Interests.

You Argue from the third Article, the words whereof are, *That the Army be commanded by a General appointed by the States of* Scotland, *and subject to such Resolutions and Directions, as are and shall be agreed and concluded on mutually between the two Kingdoms, or by Committees appointed by them in that behalf, for pursuance of the ends above mentioned*, which are the ends expressed in the Covenant; we shall speak more of them in our Answer to your next Objection.

You apply, (but improperly) this third Article for your joint Right of disposing with us the Person of the King in the Kingdom of *England*, and why? because to defend and preserve his Person is one of the ends in the Covenant; you may as well say you have right of joint disposing all our Laws and Liberties; for to defend and preserve them, is one (and a main one) of the ends in the Covenant.

Your Arguments from the ninth Article are before answered, and here you again alledge the Covenant; and here again, as in the former Objection or Argument, when you mention that you are to preserve the Person of the King, you leave out the subsequent Words, In Preservation and Defence of the true Religion, and Liberties of the Kingdom.

ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no right of Joint exercise of Interest in disposing the Person of the King, in the Kingdom of* England.

3. Objection or Argument of the *Scots* Commissioners.

No sooner did the King come to the Scotish *Army, but the very same day, the Committee of Estates of* Scotland *residing with that Army, did acquaint the Commissioners of both Houses therewith, and not satisfying themselves with this, the day following they writ a Letter to the Committee of* Scotland *residing at* Edinborough, *and another to the Committee of both Kingdoms here, (which was communicated to both Houses) desiring the Advice of this Kingdom, as in a matter of com-*

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mon Interest, and declaring they would obey the joynt Resolutions of both Kingdoms, yet no answer or advice was returned unto them, either from the Houses or their Commissioners, but immediately after the surrender of Newark, *they received information that five thousand Horse and Dragoons from* Sir Thomas Fairfax's *Army, were upon their march towards them Northwards (which the Honourable House of Peers was pleased to give order to stop) there being no Enemy in those parts to be opposed, upon consideration whereof, the Quarters wherein they had stayed during the Siege of* Newark, *being extreamly exhausted, and the service for which they came thither being performed, for preventing of mistakes or new troubles between the Kingdoms, they removed into* Yorkshire: *And the King as he came unto them of his own accord, did voluntarily march along with them; upon several occasions afterwards they and we did earnestly desire the Honourable Houses to send a Committee to joyn and cooperate with the Committee of Estates there upon the place, in all things according to the Treaty, but no answer was returned, and from time to time, the Houses acquainted with the proceedings in that Army, which were according to the Covenant, and the known Resolutions of both Kingdoms, to debar all such of either or both Kingdoms as had been in Arms against the Parliament from coming into their Quarters, or to the Court, or to the King's Person, according to the desire of the House of Peers; And whereas it is affirmed, that by the Treaty, the* Scotish *Army ought to do nothing without a joyn resolution of both Kingdoms, or their Committees, there is no such Clause in the Treaty, but they are to be subject to such resolutions as are and shall be agreed upon, and concluded mutually between the Kingdoms, or their Committees, as by Ordinance of Parliament the Army under the Command of the Earl of* Essex *or of Sir* Thomas Fairfax *was to receive and observe the directions of the Committee of both Kingdoms sitting at* Westminster; *but in case no new directions were sent unto them, they were left to former Orders, if any were, or otherwise to their own judgment and discretion. There was never any such resolution agreed upon between the Kingdoms or their Committees, as that the* Scotish *Army should not receive the King, if he came unto them: But 'tis an agreement between the Kingdoms (in the Covenant) that they should preserve and defend his Majesties Person; And (in the Declarations of both Kingdoms) to rescue him from the common Enemy: So that the* Scotish *Army having often desired to know the direction and advice of the Houses of Parliament concerning the King, and no new directions being signified unto them, according to the Treaty, they were to observe the directions and resolutions formerly agreed upon between the Kingdoms. And as the* Scots *Army do and will ever acknowledge, that they claim no power to dispose of the King's Person, but are subject to and shall be ready to follow whatsoever both Kingdoms shall agree upon as best for the King and Kingdoms; so their keeping and preserving his Majesties Person (as they would do to any Person of his Eminency and Relation, in an Army or Garrison Town) without the least thought of hindring his voluntary return to his Parliament, cannot be reputed or called a disposing of his Person.*

The third Answer.

THE truth is thus; on *Tuesday* the fifth of *May* last, our Committees before *Newark* had notice the King was come to *Southwell*, the head Quarter of your Army there, before they heard any thing from your Committees of it, who sent two of their Number to give our Committees notice of the King's coming to *Southwell*; which two did promise to deliver to the rest of their Number the desires of our Committees, That the King might not remove from *Southwell*. And afterwards our Committees hearing the same day the King came to your Army, that your Army was preparing to march, told your Committees of it, and of their former desire, That the King might remain at *Southwell*: your Committees denied there was any intention in your Army to march. And to the desire of the King's not removing from *Southwell*, they said, he was gone to *Kelham* before they heard from our Committees. Whereupon our Committees earnestly pressed them the King might return back to *Southwell*, and not to be at *Kelham*, where the body of your Army lay, to cajole, or disturb your Soldiers; but could not obtain the consent of your Committee thereunto. The next day our Committees hearing that your Army had disposed of their Provisions, and sent in for many Carriages, did again complain to your Committees, who again also absolutely denyed it, and said nothing should be done without our

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Committees having notice: Neverthelefs, the next day being *Thurfday*, your Army marched away, and took the King with them; and when your Army were on their march, and not before, fome of your Committees acquainted ours with it. Now it is moft evident, that by the Treaty our Committees being equally to command and direct your Army as your own, and your Army obliged by the Treaty equally to obey them as a joint Committee, if you have any right becaufe the King came to your Army, the King came to our Committees as to yours, and they had in that refpect equal power to difpofe of him. But what was done is before expreffed.

You fay you did write to the Houfes, and your Paper intimates one reafon of your going was, becaufe you heard not from the Houfes: You wrote on *Wednefday* and march'd away the next morning: Could you expect a return from the two Houfes in that time, the diftance being 100 miles? You alledge your march was after the furrender of *Newark*, when as it was only after the Commiffioners for the Treaty had agreed, but before the Agreement was figned by the Committees and Governour of *Newark*, and the Town was not furrendred till the next day, which was done on fome emergency a day fooner than was agreed on by that Treaty.

And fhall we think that your Army fhould march away on the rumour of 5000 Horfe and Dragoons of Sir *Thomas Fairfax* his Army marching Northward? But however, there was no fuch thing, nor did any fuch Order of the Houfe of Peers, as your Lordfhips mention, ever come to the Army of Sir *Thomas Fairfax*; neither did the General, Lieutenant-General, nor any other Officer that ever they heard of, know of any fuch Order, till your Lordfhips mentioned it in your Paper of the 20*th* of *October* laft. And if they had marched, they are under the Command of the Parliament, and have fhewed themfelves faithful and ferviceable, and God hath exceedingly bleffed their fervice to the good of both Kingdoms.

This being the true ftate of that bufinefs, our Committee of both Houfes being upon the place at the Siege of *Newark*, and not fo much as advifed with by your Committees, what was fit to be done with the Perfon of the King (the difpofing of whofe Perfon with your joynt confent you now make a matter of fo high concernment) but your Army contrary to engagement not to remove without the knowledge of our Committee, removing and taking the King with them, without any notice given to our Committee before their march, though nothing but a River parted the two Armies, with which our Committees did then refide. Your Lordfhips will now think our Committees had reafon to defire to return; and there was little encouragement for any other Committee to go down to your Army, efpecially confidering that you took *Carlile* from the *Englifh* Forces there, againft the confent of the Committee then upon the place. And that when yonr Army was at *Brambam-Moor*, a little before the King took *Leicefter*, (the King then being very ftrong, and our Affairs in a hazardous condition) they were earneftly preffed by our Committee, then a joynt Committee with them, according to the Treaty, to march Southwards; but contrary to their defires, and againft their confent, your Army marched away Northward.

It's true, that you fent out Orders to debar all fuch of both or either Kingdoms as had been in Arms againft the Parliament, from coming into your Quarters, or to the Court, or to the Perfon of the King: And 'tis as true, that they did come notwithftanding that Order, and yet no Man punifh'd for breach of thofe Orders, that ever we heard of.

Your Lordfhips fay, there is no fuch claufe in the Treaty, as that the *Scotch* Army fhould do nothing without a joynt Refolution of both Kingdoms, or their Committees; and thence infer, you having no joynt Refolution to the contrary, you might march away. But it is moft evident from your Argument (for your example, the Army under the Earl of *Effex* or Sir *Thomas Fairfax* is not at all applicable to your inference) that 'tis wholly in your power whether the Kingdom of *England* fhall ever joyn in directing of your Army or not. You had no Committee for fifteen weeks before *Newark*, and all that time our Committee could not order your Army for want of yours to joyn with them; when yours did come, they having a negative voice, did not agree to our Committees defires for the King's ftay at *Southwell*, or acquaint them with your Armies going away, but denied it to

them.

An. 1646. them. So as that main thing in the Treaty, to join in ordering your Army, is both by your Practice and Assertion in your Paper rendred useless.

And in this Argument also is the Covenant recited for the defence of the Person of the King, and the words, *In the preservation of Religion, and the Liberties of the Kingdoms* (a main Clause, without which the other part ought never to be mentioned) are left out. Certainly, my Lords, we should never have argued thus from the Covenant and Treaty. And here you say again as formerly, Your Army claims no right to dispose of the King: But we say that *de facto* they do dispose of him, and must by your Argument ever do so, unless we agree to the joint consent of the Kingdom of *Scotland* for disposing of the King in *England*; and that from such grounds as, if admitted, would interest the Kingdom of *Scotland* in the Government of the Kingdoms of *England* and *Ireland*, else you will not consent; and unless you consent, you say your Army ought not to part with him: So as he is to be disposed by you in *England* without our Consent, but not by us in this Kingdom without your Consent; which sure cannot be found in the Covenant.

In the next place is that which you call a fourth Objection: We shall place our Assertion, and recite what you call your Answer in your own Words.

ASSERTION.

We do affirm; That the Kingdom of Scotland *hath no Right of joint exercise of interest in disposing the Person of the King, in the Kingdom of* England.

The fourth Objection or Argument of the Scots Commissioners.

THere is a wide and manifest difference betwixt the relation the Scotish *Army hath to any Subject of* England, *and the relation they have to their King; which are sufficiently distinguished in the third and fourth Articles of the Covenant: For by the one they are mutually obliged to preserve and defend his Majesty's Person; and by the other they are obliged to indeavour that all Incendiaries and Dividers between the King and his People, or betwixt the Kingdoms, be brought to Tryal and condign Punishment before the supream Judicatures of the Kingdoms respectively: And the Kingdom of* Scotland *hath equal Right and Interest with the Kingdom of* England *in the disposal of the Person of the King, which they cannot pretend unto concerning the Person of any Subject of* England.

The fourth Answer.

THis contradicts what you have formerly said, That one coming to another Nation ought not to be remanded, though for the greatest Crime. And let your Lordships consider, that your Army in *England* is not the Kingdom of *Scotland*. And here also you recite the Covenant, as to the defence of his Majesty's Person, but omit the subsequent words, *in the preservation of the true Religion, and Liberties of the Kingdoms.* And as all Persons in both Kingdoms who have taken the Covenant, have bound themselves before Almighty God, to defend the King's Person in the defence of the true Religion, and Liberties of the Kingdoms; so are they to do it only in their *several Vocations,* without intrenching upon *each others Rights and Privileges:* For which reason also Incendiaries were reserved to the tryal of the supream Judicatories of the Kingdoms *respectively*, that their several Jurisdictions might not be *prejudged or confounded.*

That which you call your fifth Answer, we shall also set down.

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ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no right of Joint exercise of Interest in disposing of the Person of the King, in the Kingdom of* England.

The fifth Objection or Argument of the *Scots* Commissioners.

IT hath been sufficiently answered before, that the Scotish *Army neither hath, nor will take upon them to dispose of the King. He came unto them without Capitulation or Treaty, his Residence with them is voluntary and free, and they do nothing which may hinder him to come to his Houses of Parliament; but if the Kingdom of* Scotland *should consent to the desire of the Houses, that they may have the sole disposal of the Person of the King, it being that which comes in the place of the Peace and Security of both Kingdoms, they would really quit the right and interest they have, by the Eighth Article of the Treaty concerning the making of a Peace. For which soever of the Kingdoms is acknowledged to have the sole disposal of the King, may, without the other, make Peace with him, when, how, and in what Terms they please.*

The fifth Answer.

IT's most true, it hath often been set down in your Papers, That your Army neither doth nor will take upon them to dispose of the King: Yet we know that *de facto* they do dispose of him. You say, He came without Capitulation or Treaty: We again desire you will not put us upon that debate. You alledge that his residence is voluntary and free, yet you sent us Word that you had set a strong guard upon him; and you cannot say, that the Covenant, Treaty, or fundamental Right of the *Scotish* Nation are, that he should be in voluntary Freedom with *Us*, but in restraint with *You*.

You argue, That the sole disposal of the King comes in place of Peace; which is not so, unless you will grant that you have now made Peace: For you have the sole disposal. But all this is before more at large.

ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no Right of joint exercise of Interest in disposing the Person of the King, in the Kingdom of* England.

The sixth Objection or Argument of the Scots Commissioners.

WE will not dispute what Power the Houses of Parliament formerly had to dispose of the Person of their King; but whatsoever Power or Right they have, the like is due to the Parliament of Scotland; *and so the Person of the King being common to both, and indivisible, cannot be disposed of but by consent of both Kingdoms. It were another Question indeed, if it were as in former times, if we had different Kings, if there were not an Union of the Kingdoms under one Head and Monarch, if there were neither Covenant nor Treaty between the Kingdoms: But since all these are, and that the Peace and Security of both Kingdoms is so much concerned in the disposal of the King, not any one of them without the other can justly pretend to the sole Judgment and Right to determine what is best and most expedient for the Safety and Security of both; nor can it in reason be made an Argument that the one Kingdom distrusts the other, because the one will not renounce and resign all Right and Interest they have in the Person of the King, and matter of their own Security and Peace to the Judgment and Determination of the other: Otherwise, according to this Argument, where there is any Trust, there should be no Contract between Person and Person, nor Treaty between Nations: Or if there be any Treaty or Agreement, the performance or not performance of it is to be left to Arbitrement. But we cannot see that this doth argue any Diffidence or Distrust, more than when private Persons lending Money to the Publick, desire Security, and will*

An. 1646. *will not depend upon Pleasure: And therefore though it is not to be questioned but the Houses of Parliament would dispose of the Person of the King, so as might consist with their Duty in performing the Covenant and Treaty; yet this can be no Argument why the* Scotish *Army should neglect their Duty, or the Kingdom of* Scotland *quit the Interest and Right they have in the Person of the King.*

The sixth Answer.

WE have never allegded that the Parliament of *Scotland* hath not the like Exercise of Interest in *Scotland* as we desire to have in *England*, and yet this is often objected against us. But we do aver the Right of Exercise of Interest is distinct to each Nation: And from your own Argument, if we do not deny this Right to *Scotland*, why should you deny it to *England?* The Union of the Kingdoms under one Head doth no more confound the Exercise of particular Rights, then if under several Heads. We never desired you to renounce any Right of the Kingdom of *Scotland*; let us have the same Measure.

By your Argument it must follow, That by *England*'s having the King of *Scotland*, the Kingdom of *Scotland* should be King of *England*: For although the Person of the King be not divisible, yet his Relations are divisible both in their Nature and their Exercise: The King of *England* and the King of *Scotland* are one Man, but they are not one Thing. And though those Relations are not divisible from his Person, yet is the Exercise of them divisible from his Person, as his Person is divisible from either or both the Kingdoms, and as the Kingdoms are divisible from each other in Place and in Power, in Right and Interest, within their several Precincts: And the exact Preservation of this Distinction is the best Means to prevent a worse Division.

And if, as you say, your desiring not to part with your Right doth not argue any Diffidence in us, now that it is shewed you of no Right, why will you be diffident of us, to hinder the Exercise of our particular Rights?

That which you call your last Objection was an Answer to your Reply.

ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no Right of joint Exercise of Interest in disposing the Person of the King in the Kingdom of* England.

The seventh Objection or Argument of the *Scots* Commissioners.

IF this Argument were turned over, the Strength or Weakness of it may the more easily appear. Suppose the King were here at Westminster, *it may be upon the same Grounds urged, That the Kingdom of* Scotland *would have no Consent in his disposal; and so much the more, that the Houses claim the sole Interest and Judgment to dispose upon the King's Person, which we desire may be done joyntly, as may be best for the Security and Safety of both Kingdoms. And we see no Reason why it may not now be determined when he is in the* Scotish *Army, (who were intrusted by both, and subject to the Resolution of both Kingdoms) as well as hereafter, since he came thither of his own Accord, and his Residence there is voluntary; and if his Majesty shall think fit to repair hither to his Houses of Parliament, they shall do no Act which may either hinder or disswade him; but cannot constrain him, or deliver him to the Houses, to be disposed of as they shall think fit.*

The seventh Answer.

YOU object, your Army cannot part with the King without the Consent of the Kingdom of *Scotland*: The Kingdom of *Scotland* cannot Consent, unless they may joyn in the disposal of his Person; they will not join till it be agreed that he be disposed for the good of both Kingdoms: And can any thing then be more plain, than that the King is then to remain where he is (as we have said before) until you will be satisfied. And being where he is, we know, and so do you, that he is disposed of against our

our Consent. And if this Argument were turn'd over, it would remain good: For we do say, the Kingdom of *Scotland* had not right of joynt interest in disposing of the Person of the King if he were at *Westminster*; neither should we claim any, if he were duly at *Edenburrough*. And if this be a good Argument, it will follow, That you should have some of your Nation to reside continually with us, to advise and consent to what Places the King shall go upon every occasion of his remove, and upon every accident that may happen; considering the temper and condition of these times may call for sudden and different resolutions, and such as they are only capable to judge of, and to apply remedies unto who are upon the place.

We doubt not your Lordships are satisfied that the coming of the King to your Army was with a design on his part against the good of both Kingdoms; which, with his denying the Propositions being among you, are not Arguments that he ought to be left to his own will and pleasure.

Upon the whole Tract in your Papers we shall from brotherly Affection let you know, (to prevent the like for the future) That your Papers seem to be prepared, printed, and published to captivate the Hearers and Readers to trouble their Fancies and hinder the right understanding of the Question; that they may be led by an implicite belief; and seem to hold forth, That you will so manage your affair, as that if any difference should happen (which God forbid, and we shall always endeavour to prevent, though it arise elsewhere) it may be laid on the Houses of Parliament: Your Papers throughout intervolving things of several natures, mis-reciting so many matters of fact, holding forth Examples and Similies, which if urged by us, were unreasonable; as if they were applicable to the present Debate, which yet they are not, that many Readers and Hearers, though they know not how to apply them to the Question between us, yet may think they are to it, because the *Scotch* Commissioners would not else have inserted them.

Having thus cleared the Right of the Parliament of *England*, in disposing the Person of the King in the Kingdom of *England*, We come now to the Propositions. But before we fall into the particulars of them, we shall give a short Answer to your Letter of the 24. of *October* last. You express therein, That the *Scots* Army having had no pay for six Months, have been forced to take free Quarter: Which we wonder to see, when your Army taketh 19700. *l.* monthly in Money, besides much free Quarter. And we sent your Lordships an Account of this, which we received out of the North; besides which they have had for one Year ending the last of *October* last, seventy two thousand nine hundred seventy two Pounds two Shillings and Elevenpence for the Custom and other Impositions upon Coals only.

Your Letter seems very compassionately to consider the Misery of the Northern parts; but the ways you propose of Remedy extend the benefit of your Compassion especially to the *Scots* Army; the which Armies removing into fresh Quarters in *England*, were to make them feel as much Misery as those it would leave. We shall provide what Money we can to enable the *Scots* Army to march into *Scotland*: But you know we are not engaged to you for two hundred thousand Pounds in present, as your Letter implies. But this is before more at large.

But whilst you would not have the King to go into *Scotland* (for you say that is prejudicial to both Kingdoms) neither would you have him go into *Ireland*, or beyond Sea, (because you say that would not be a way to present Peace, but certainly prognosticate new Trouble:) and whilst you will not let the Parliament dispose of his Person in *England* according to their right; and the Parliament cannot admit of a *Joint Right* in you of disposing his Person here (for that were to admit a *Joint Right* in you in all the *Liberties of this Kingdom*,) how shall any be satisfied that this Question concerning the disposing of the Person of the King, shall not retard the marching of the *Scots* Army out of this Kingdom? Will they not inquire what will the *Scots* do with the Person of the King, when their Army marcheth out of the Kingdom? To which we hope it will be answered, Our Brethren of *Scotland* are satisfied the Parliament of *England* will, according to their Right, dispose of the Person of the King in the Kingdom of *England*: And your Lordships may rest assured the Person of the King will be disposed by the Parliament of *England*, as may best conduce to the Good, Union, and Happiness of the two Kingdoms.

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The Proposition you make for the King to come to us with Honour, Freedom and Safety; or that Commissioners may once again be sent in the Name of both Kingdoms, with Power to hear his Desires, and to endeavour the Satisfaction of Doubts and Scruples, is the same in substance made by himself, in his Answer to the Propositions sent him by both Kingdoms; but that you also purpose that some may be sent to the King, and he desires to come hither; and your Lordships will not think they are more reasonable when made by you for the King, than when made by the King for himself.

And whereas your Lordships find a difference in the times when both Kingdoms sent to the King, in Answer to his Letters of the 26. and 29. of *December* last, desiring to come hither, for that he had then both Garrisons and Field Forces unreduced, we desire your Lordships to remember, That although these Passages of his having Garrisons and Forces be in the Letter, yet the main matter insisted upon was in these words, *We conceive, that until Satisfaction and Security be first given to both your Kingdoms, your Majesty's coming hither cannot be convenient, nor by us assented unto.* And which doth further appear in another Letter sent from the Parliament and your Lordships in *March* last, in Answer to a Letter of the King's of the 23. of the same *March*, wherein the same Words of *Satisfaction and Security* are again expresly repeated; And there hath not been any Act done by the King since that time, that hath in the least given Satisfaction or Security to *This* Kingdom: But however, your Lordships well know, that the King, at the sending of the said last Letter, had no Forces in the Field, nor Garrisons unblockt up; and he hath as many Forces now, when you make these desires for him, as he had when to your unspeakable Grief, (as you say in your Papers) he, in his denial to grant the Propositions sent him from both Kingdoms, made then the same Desires for himself.

Your Lordships recite our Answer to his Majesty's Message of the 11. of *September*, 1642. to which we shall need say no more; there is a large difference between what is to be done to prevent a War, which the Common Enemy did begin by keeping the King from us, and what is to be done after such a War to secure a Peace.

To secure which, and to preserve brotherly Union between the two Kingdoms, which we most earnestly and from our hearts desire, we should use all means conducing thereunto, and endeavour to prevent all ways of Separation, and if we be in any, to hasten out of them, the true end of our Covenant, and this War being, that neither of us may be under any Oppressions. Let us both act for the common good of both, and each enjoy our particular Rights, such Union is strong and will be lasting; but where one gaineth upon the particular Rights of the other, and then argueth that he must keep it, and the other bear it; To avoid Dis-union, such Arguments are not to be often used, and such Attempts are to be forborn, lest they make a breach in Brotherly Union, which God forbid.

But we are confident the Right of the Kingdom of *England* will be acknowledged, and we possessed of it, and we shall make it appear how little cause there is for those groundless insinuations in your Speeches and Papers, as if the Parliament of *England* were averse from their Ancient and Fundamental Government by *King*, *Lords* and *Commons*, which we had thought the Declaration of the House of Commons, of the 17. of *April*, 1646. sufficiently cleared to the whole World; or that they were not as really forward as any, for the procuring of a safe and well-grounded Peace, which is the greatest and chiefest of our Desires; And it will be manifest to the Judgments and Consciences of all, That as we really endeavoured the good of the King and both Kingdoms, so shall we constantly and faithfully persevere in those endeavours, not doubting, but upon our sincere performing our Covenant and Treaties, the Blessing of God will so accompany us, as there will be a most sweet and brotherly Agreement between the Nations, and such a Conclusion as will be pleasing to God, and wherein both Kingdoms shall find greatest Comfort and Happiness.

28. *Nov-*

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28. *November* 1646.

ORdered by the Commons Assembled in Parliament, That the Answer to the Scots *Papers be forthwith Printed and Published.*

H. Elsynge, Cler. Parl. D. Com.

The two Houses, for the speedy raising the two hundred thousand Pounds for the *Scots* Army, hastned their Ordinances; first for abolishing Episcopacy; and next, for Sale of all Bishops Lands; which ran as followeth.

Die Veneris, 9. *Octob.* 1646.

An Ordinance of Parliament, for the abolishing of Archbishops, and Bishops, within the Kingdom of England, and Dominion of Wales, and for setling of their Lands, and Possessions upon Trustees for the use of the Commonwealth.

FOR the abolishing of Archbishops, and Bishops, and providing for the payment of the just and necessary debts of the Kingdom, into which the same hath been drawn by a War, mainly promoted by and in favour of the said Archbishops, and Bishops and other their Adherents, and Dependents. Be it Ordained, and it is Ordained by the Lords and Commons in Parliament assembled, and by the Authority of the same; That the Name, Title, Stile and Dignity of Archbishop of *Canterbury*, Archbishop of *York*, Bishop of *Winchester*, Bishop of *Duresme*, and of all other Bishops of any Bishopricks within the Kingdom of *England*, and Dominion of *Wales*, be from and after the fifth day of *September*, in the Year of our Lord God 1646. wholly abolished and taken away, and are hereby abolished and taken away. And all and every Person and Persons are and be thenceforth disabled to hold the Place, Function or Stile of Archbishop or Bishop of any Church, See, or Diocess now established or erected, or hereafter to be established or erected within the Kingdom of *England*, Dominion of *Wales* or Town of *Berwick*, or to use or put in use any Archiepiscopal or Episcopal Jurisdiction, or Authority, by force of any Letters Patents from the Crown, made or to be made, or by any other Authority whatsoever, any Law, Statute, Usage or Custom to the contrary notwithstanding. And be it further Ordained, and it is hereby Ordained, That all Counties Palatine, Honors, Mannors, Lordships, Stiles, Circuits, Precincts, Castles, Granges, Messuages, Mills, Lands, Tenements, Meadows, Pastures, Parsonage, appropriate Titles, Oblations, Obventions, Pentions, Portions of Tithes, Parsonages, Vicarages, Churches, Chappels, Advowsons, Donatives, Nominations, Rights of Patronage and Presentation, Parks, Woods, Rents, Reversions, Services, Annuities, Franchises, Liberties, Privileges, Immunities, Rights of Action and of Entry, Interests, Titles of Entry, Conditions, Commons, Court Leet, and Courts Baron; and all other Possessions and Hereditaments whatsoever, with all and every of their Appurtenances of what Nature or Quality soever they be, which now are, or at any time within ten Years before the beginning of this present Parliament, were belonging to the said Archbishops or Bishops, Archbishopricks, or Bishopricks, or any of them, which they or any of them had held and enjoyed in the Right of their Archbishopricks, or Bishopricks, Dignities, Offices or Places respectively; Together with all Charters, Deeds, Books, Accounts, Rolls, and other Writings and Evidences whatsoever, concerning the Premises or any of them; which do belong to any the said Archbishops, or Bishops, Archbishopricks, and Bishopricks, are vested and setled, adjudged and deemed to be and are hereby in the real and actual possession, and seizing of *Thomas Adams* Alderman, now Lord Mayor of the City of *London*, Sir *John Wollaston* Knight, Sir *George Clarke* Knight, *John Langham* Alderman, *John Fowke* Alderman, *James Bunce* Alderman, *William Gibbs* Alderman, *Samuel Avery* Alderman, *Thomas Noell*, *Christopher Packe*, *John Bellamy*, *Edward Hooker*, *Thomas Arnold*, *Richard Glide*, *William Hobson*, *Francis Ash*, *John Babington*, *Lawrence Bromfield*, *Alexander Jones*, *John Jones*, *Richard Venner*, *Stephen Estwick*, *Robert Mead*, and *James Story*; their Heirs and Assigns; And that they the said *Thomas Adams*, now Lord Mayor of the City of *London*, Sir *John Wollaston* Knight, Sir *George Clarke*, Knight, *John Langham* Alderman, *John Fowke* Alderman, *James Bunce* Alderman,

An. 1646. derman, *William Gibbs* Alderman, *Samuel Avery* Alderman, *Thomas Noell*, *Christopher Pack*, *John Bellamy*, *Edward Hooker*, *Thomas Arnold*, *Richard Glyde*, *William Hobson*, *Francis Ash*, *John Babington*, *Lawrence Bromfield*, *Alexander Jones*, *John Jones*, *Richard Venner*, *Stephen Estwick*, *Robert Mead*, and *James Story*, and the Surviver and Survivers of them and their Heirs and Assigns, shall hold all such the Premises as are now held of the King, of the King his Heirs and Successors, as of his Mannor of East *Greenwich* in Fee and Common Soccage by Fealty, and the Annual Rents thereof respectively due, and payable within ten years last past, before the beginning of this present Parliament, and not in Capite, nor by other Tenures or Services; and shall hold all and every the Premises, which the said Archbishops and Bishops held of any other, than of the King, by the Rents, and other Services therefore due, and of right accustomed; And the said Trustees, their Heirs, Assigns, Farmers, and Tenants, shall also have, hold, and enjoy the Premises, and every of them, freed, acquitted and discharged of, and from the payment of Tithes, as fully as the said Archbishops, and Bishops did hold and enjoy, or ought to hold and enjoy the same, at any time, during the space of ten Years aforementioned, or any time since. And it is further by the same Authority ordained, That the said Trustees shall have power, and are authorized to make, nominate and appoint from time to time, fit and able Persons, such as they shall think fit, to survey the Premises in any County or Counties of *England* and *Wales*, and to hold Court of Surveys, and to demand, receive, and in safe Custody to put all the said Charters, Deeds, Books, Accounts, Rolls, Writings, and Evidences, that they may be put in such Place in the City of *London*, as the said Persons before named or the major part of them shall order and appoint; And the said Trustees, or any three or more of them as aforesaid, are hereby authorized and required to administer an Oath unto all and every the Surveyors, who shall take the same before he shall execute the said Place, in these Words, *viz.*

I A. B. do swear, that I will faithfully and truly, according to my best Skill and Knowledge execute the Place of a Surveyor, according to the purport of an Ordinance, entituled, an Ordinance of Parliament for the abolishing of Archbishops and Bishops within the Kingdom of *England* and Dominion of *Wales*; and for setling of their Lands and Possessions upon Trustees, for the use of the Common-wealth. *I shall use my best endeavour and skill to recover the Estate therein mentioned, and every part thereof, which shall be given me in charge, and to find out the true Values and Improvements thereof, and thereof shall make true particulars, according to my best skill and cunning; and the same from time to time deliver in writing close sealed up, unto the said Trustees, or any two of them, according to the true intent and meaning of the said Ordinance; and this I shall justly and faithfully execute, without any Gift or Reward, directly or indirectly, from any Person or Persons whatsoever.*

Nevertheless it is declared and ordained, that the said Persons before named, their Heirs and Assigns shall have and hold the Premises and every of them subject to such Trusts and Confidence as both Houses of Parliament shall appoint, and declare and dispose of the same, and the Rents and Profits thereof as the said Houses shall order and appoint; wherein the Lords and Commons do declare, that due respect shall be had towards such Persons and their Assigns as are interested in the Premises by virtue of any demise heretofore made, provided that the said Trustees their Heirs or Assigns shall not avoid any Leases made for any Term or Estate, not exceeding three Lives, or one and twenty Years in Possession, or in such manner as that together with the Lease in being shall not exceed three Lives or one and twenty years, so as the old and accustomed Rent and Rents or so much Rent and Rents, as the ancient and accustomed Rent amounteth unto, be reserved payable during the said voidable Term and Terms or Estates, and so as the said Leases have not been procured or purchased of any Bishop, since the first day of *December*, *Anno Domini*, 1641. And be it further Ordained by the Authority aforesaid, that if any Archbishop or Bishop have at any time since the first day of *December*, *Anno Domini*, 1641. made any Grant or Lease to any Person or Persons, Body Politick or Corporate of any the Houses, Mannors, Lordships, Messuages, Lands, Tenements, and Hereditaments, or any other the Premises aforesaid, or any of them in right of their Archbishopricks or Bishopricks, the same Grant or Lease shall be utterly void

and of none effect; and the Person or Persons, Body Politick or Corporate, unto whom the same was made, shall have no Benefit thereby; provided and be it ordained, and it is hereby ordained, that if any Person or Persons, Body Politick or Corporate at any time or times since the first day of *December* in the Year of our Lord God, 1641. who had any Grant or Lease for one or more life or lives, or any Number of Years of the Premises or any part thereof as is aforesaid and surrendred the same; To the End that he or they might have a new Grant or Lease granted or made unto him or them, which by this present Ordinance is made void, and the same was accordingly granted or made unto him or them; That the said Person or Persons, Body Politick or Corporate, who hath so surrendred any such former Grant or Lease, his and their Heirs, Successors, Executors, Administrators and Assigns, shall have, hold, possess and enjoy such Time and Term as he or they had in any part of the said Premises by virtue of any such former Grant or Lease, in such sort and manner as he or they should have had, held, and enjoyed the same, if no such Surrender had been made, subject nevertheless to such Payments of Rent and other Services, and such Covenants, Conditions and Agreements as in the said former Leases were expressed and contained, saving unto all and every Person and Persons, their Heirs, Executors and Administrators, Bodies Politick and Corporate, and their Successors, other than the King, his Heirs, and Successors, all Archbishops, Bishops, and other than the Founders and Donors as Founders and Donors of and to the said Archbishopricks and Bishopricks, and their Heirs, all such Right and Title, Interest, Possession, Rights in Law, or Equity, Entries, Annuities, Commodities, Fees, and other Profits which they or any of them before the said first day of *December*, 1641. ought lawfully to have had in, or to the Premises, or any part or parcel thereof, as if this Ordinance had never been had or made; also saving to all such Person or Persons as have adhered to the Parliament, all such Estate as he or they since the first day of *May*, *An. Dom.* 1641. have forfeited or made forfeitable for non-payment of Rent, or not performing of Services to any Bishop or Bishops, except it be in the Case of a Lease made utterly void by this Ordinance, by reason the same hath been procured or purchased of any Bishop since the aforesaid first day of *December*, *Anno Domini*, 1641. and likewise saving to *Philip* Earl of *Pembrook* and *Montgomery*, and his Heirs, all such Right as he and they have to the Messuage called *Duresme House*, and certain Stables, late of the Possession of *Thomas* Bishop of *Duresme*, situate in the Parish of St. *Martins* in the Fields, in the County of *Middlesex*, lately granted by Act of this present Parliament; this present Ordinance or any thing therein contained in any wise notwithstanding. Provided also, and it is hereby further Ordained by the Authority aforesaid, that all and singular Revenues, Rents, Issues, Fees, Profits, Sums of Mony, and Allowances whatsoever as have heretofore been, and now ought to be paid, disposed, and allowed unto and for the Maintenance of any Grammar-School, or Scholars, or for or toward the Reparation of any Church, Chapel, High-way, Causeway, Bridges, School-house, Almshouse, or any other charitable or pious Use, or for maintaining of any Lecture, or Preachers payable out of any the Premises, or which are chargeable, or ought to issue out of, or to be paid for, or in respect of the said Premises, or any of them, shall be and continue to be paid and allowed as they were, and have been heretofore, any thing in this present Ordinance to the contrary in any wise notwithstanding. And it is further Ordained, that the Sheriff of every County and Place, who is to attend the respective Courts where any Felony is to be tried and determined, shall provide and present to the Judge or Judges of such Courts, some able and fit Person to do such things as by the Office of the Ordinary have been used to be done; which Person and Persons shall have Authority, and are hereby enjoyned to perform that Service in such manner as the respective Ordinaries heretofore have used to do. Provided also, that all Commissions upon the Statute of Charitable Uses shall be valued, though the Bishop be therein omitted, and the other Commissioners shall proceed therein as fully as they might have heretofore done, when the Bishop was therein named; and that all Issues triable by the Ordinary or Bishop, shall be tried by Jury in usual Course.

John Brown, Cler. Parl.

22 *Caroli.*

An. 1646.

Die Martis 13 *October* 1646.

THE Lords and Commons assembled in Parliament intending to raise the Sum of two hundred thousand Pounds, for the present service of the State, for the Encouragement of such as shall advance any Sum for and towards the same, and to the intent they may have notice thereof, do declare, That every Person who hath advanced any Monies, Plate, or Horses, with their Furniture and Arms, upon the Publick Faith, may for every Sum of Money he shall further lend, for the Advancement of the said Sum, be secured a like Sum more out of the Receipt of the Grand Excise in Course, and the Sale of the Bishops Lands, (except Advowsans and Impropriations) which shall first happen, together with the Interest after the Rate of eight *per centum, per annum*, to be paid every six Months, out of the Receipts of the Excise, till Principal and Interest be fully discharged. As for Example, If there be owing to any Person 100*l.* Principal, which, with Interest due thereupon, for three Years past, will make 124*l.* he adventuring 124*l.* more, may be secured for the whole 248*l.* as aforesaid, and so proportionably for a greater or lesser Sum, and according to the Interest due thereupon: And for the more speedy re-imbursing of the said Money secured and lent for the purpose aforesaid, That the said Lands of the Bishops, (except before excepted) are Estated and made over to such Feoffees for the speedy Sale thereof, and such Treasurers for the Receipt of the Monies, as may give satisfaction to the Lenders. And the said Lords and Commons do declare, That it shall and may be lawful for any Person and Persons, to assign his Right and Interest in any Sum or Sums of Money owing to him upon the Publick Faith, as aforesaid, to any Person or Persons that will advance the like sum, in manner as is before expressed.

Joh. Brown Cler. Parliamentorum.

Die Lunæ, Novemb. 16. 1646.

An Ordinance of the Lords and Commons assembled in Parliament, for appointing the Sale of the Bishops Lands for the use of the Commonwealth.

WHereas by an Ordinance of the Lords and Commons made the ninth of *October* one thousand six hundred forty six, the Name, Title, Stile, and Dignity of Archbishop of *Canterbury*, Archbishop of *York*, Bishop of *Winchester*, Bishop of *Duresme*, and of all other Bishops of any Bishopricks within the Kingdom of *England* and Dominion of *Wales*, from the fifth of *September* one thousand six hundred forty six, is wholly abolished and taken away, and all and every Person and Persons are disabled to hold the Place, Function or Stile of Archbishop or Bishop of any Church, See, or Diocess within the Kingdom of *England*, and Dominion of *Wales*, by any Authority whatsoever; And all Counties Palatine, Honours, Mannors, Lands, Tenements, and Hereditaments, and other the Premises in the said Ordinance mentioned, were and are vested, and setled, adjudged and deemed to be in the real and actual Possession and seizing of *Thomas Adams* Alderman, then Lord Mayor of the City of *London*, Sir *John Wollaston* Knight, Sir *George Clerke* Knight, *John Langham* Alderman, *John Fowke* Alderman, *James Bunce* Alderman, *William Gibbs* Alderman, *Samuel Avery* Alderman, *Thomas Noell*, *Christopher Packe*, *John Bellamy*, *Edward Hooker*, *Thomas Arnold*, *Richard Glyde*, *William Hobson*, *Francis Ash*, *John Babington*, *Lawrence Bromfield*, *Alexander Jones*, *John Jones*, *Richard Venner*, *Stephen Estwick*, *Robert Mead*, and *James Story*, their Heirs and Assigns, upon Trust and Confidence that the said Persons before named, their Heirs and Assigns, should have and hold the Premises, and every of them, subject to such Trust and Confidence as both Houses of Parliament should appoint, declare, and dispose of the same, and the Rents and Profits thereof, as the said Houses should order and appoint. And whereas the said Lords and Commons the thirtieth of *October* one thousand six hundred forty six, have declared they intending to raise the Sum of two hundred thousand Pounds for the present Service of the State, that for the Encouragement of such who should advance any Sum for and towards the same, and to the intent they might have Notice thereof, that every Person who hath advanced any Money, Plate, or Horses, with their Furniture and Arms, upon the publick Faith, may for every Sum of Money he shall fur-

ther lend for the Advancement of the said Sum, be secured a like Sum more out of the Receipt of the grand Excise in Course, and the Sale of the Bishops Lands (except Advowsons and Impropriations) which shall first happen, together with all the Interest after the Rate of eight Pounds *per cent. per annum*, to be paid every six Months out of the Receipts of the Excise, till Principal and Interest be fully discharged; as for Example, if there be owing to any Person a hundred Pounds Principal, which with the Interest due thereupon for three Years past will make a hundred twenty four Pounds, he adventuring a hundred twenty four Pounds more, may be secured for the whole two hundred forty eight Pounds, as aforesaid, and so proportionably for a greater or lesser Sum, and according to the Interest due thereupon: And for the more speedy re-imbursing of the said Money secured and lent, for the Purpose aforesaid, that the said Lands of the Bishops (except before excepted) are Estated and made over to such Feoffees for the speedy Sale thereof, and such Treasurers for the Receipt of the Monies, as may give Satisfaction to the Lenders. And have thereby further declared, that it shall and may be lawful for any Person or Persons to assign his Right and Interest in any Sum or Sums of Money owing to him upon the publick Faith as aforesaid, to any Person or Persons that shall advance the like Sum in Manner as is before expressed. And therefore for and towards the satisfying of the said two hundred thousand Pounds to be raised, or so much thereof as shall be raised and of such Money as according to the said Declaration the said Lenders are to be repaid for Money, Plate, Horses with their Furniture and Arms, advanced upon the publick Faith, with Interest for the same after the Rate aforesaid, The said Lords and Commons have declared and ordained, and do hereby declare and ordain, That the said *Thomas Adams* and other the Persons before named, and the Survivors and Survivor of them, and the Heirs of the Survivor of them, shall stand and be seized of all and singular the said Premises so vested and setled in them, their Heirs and Assigns (except Parsonages appropriate, Tithes, Tithes appropriate, Oblations, Obventions, Portions of Tithe, Parsonages, Vicarages, Churches, Chappels, Advowsons, Donatives, Nominations, Rights of Patronage and Presentation) and shall take all the Rents, Revenues, Issues and Profits, which were due and payable after the first of *November*, one thousand six hundred forty six, notwithstanding any Sequestration of the same, and all other the Rents, Revenues, Issues and Profits, that shall at any Time hereafter become due and payable for the said Premises or any Part of them, until Sale shall be made of the same to the Uses, Intents, and Purposes herein and hereafter declared: And be it ordained that the said Trustees, or the major Part of them should have Power and Authority, and are hereby authorised, to take into their Assistance such Counsel learned, and to appoint such Stewards of Mannors, and all other Officers and Persons as they or the major Part of them should hold fit and necessary for the putting of this Ordinance in Execution, and to give such Fees, and make such Allowance to the said Counsel, Stewards of Mannors, Officers and Persons as they shall hold fit and necessary. And to make Warrants to the Treasurers for the Payment of the same, who are hereby required to pay the same accordingly, until Sale shall be made of the Premises, to the Uses, Intents, and Purposes herein and hereafter declared as aforesaid; That is to say, that out of the Money raised by the Sale of the said Premises, or any Part of them that shall be sold, and out of the said Rents, Revenues, Issues and Profits of the said Premises or any Part of them, there shall be paid and satisfied the several Sums of Money with Interest at the Rate aforesaid, that by this present Ordinance are, or are intended to be paid and satisfied, together with all Charges to be paid or born, for or by Reason of the Execution of the Trust in them reposed; and after the full and due Payment of the same, that they, their Heirs, Executors, and Administrators respectively shall stand seized and possessed of such of the said Counties Palatine, Honors, Mannors, Lands and Premises remaining unsold, and of the Monies raised by Sale of the Premises or of any Part of them remaining undisposed, for the Use and Benefit of the Common-wealth, as shall be limited and appointed by both Houses of Parliament: And be it also ordered and ordained by the Authority aforesaid, that *John Blackwell* senior of *Moreclack* in the County of *Surrey* Esquire, Sir *William Roberts* of *Wisden*, in the County of *Middlesex* Knight, Alderman *Vyner*, Colonel *Richard Turner*,

22 *Caroli.*

An. 1646.

ner, James Ruſſel, William Metbold, Thomas Ayres of *London* Eſquire, *William Prinne* of *Lincolnes*-Inn Eſquire, *Robert Fenwick* of *London* Eſquire, *Timothy Middleton* of *Stanſteed* in the County of *Eſſex* Eſquire, *Edward Creſſet* of *London* Eſquire, ſhall have full Power and Authority, and hereby have full Power and Authority to treat, contract, and agree with any Perſon or Perſons, for the Sale of the ſaid Premiſes, or any of them in ſuch Manner as is hereafter limited. And that the ſaid *John Blackwell*, and other the ſaid Perſons laſt before named, ſhall receive of the Treaſurers herein named, Two-pence in the Pound for every Sum that ſhall be paid to the ſaid Treaſurers, upon all and every ſuch Contract and Contracts, for the Sale of the Premiſes or any Part thereof. And that the ſaid Truſtees or any five of them ſhall have full Power, and are hereby required to convey the Premiſes or any Part thereof, by Bargain and Sale inrolled according to the Statute, or otherwiſe by any good and ſufficient Conveyance and Aſſurance in the Law, to any Perſon or Perſons whatſoever, according to ſuch Contract or Contracts, as ſhall be made by the ſaid Contractors or any ſix or more of them; and entered and certified to the ſaid Truſtees as aforeſaid, by the Regiſter herein, or hereafter to be named by both Houſes of Parliament: And the Money that ſhall be raiſed by the Sale thereof, to be imployed according to the Truſts and Directions herein declared. And that all Bargains of Sale, Conveyances, and Aſſurances made of any Eſtate or Eſtates in Fee-ſimple, according to ſuch Contracts as ſhall be agreed upon, between the Purchaſers and the ſaid Contractors before-named, ſhall be good and effectual in Law. And be it likewiſe ordained, that none of the ſaid Truſtees ſhall be Contractors, nor none of the Contractors, nor any of them, nor any other to their or either of their Uſe, or Uſes, or in truſt for them, or any of them, directly or indirectly, ſhall or do purchaſe the ſaid Lands or any Part of them; and every Purchaſer of any Part of the Premiſes, his Heirs and Aſſigns, ſhall have, hold, and enjoy the Premiſes that ſhall be by him purchaſed, diſcharged of all Truſts and Accompts, whereunto the ſaid Truſtees are or may be liable by Virtue of this preſent or the ſaid recited Ordinance. And if any Contractors or any in Truſt for them, or any of them, ſhall buy any Lands contrary to this Ordinance, he or they ſhall forfeit the Eſtate and Money paid ſo for it. And of all Suits and Queſtions that may ariſe or be moved upon Pretence of Sale at Under-values, or upon Pretence that the Sums by this Ordinance intended to be paid, were ſatisfied before ſuch Sale made, and all other Claims and Demands whatſoever, ſaving the Rents and Intereſts ſaved by the ſaid recited Ordinance, and of all Incumbrances made by the ſaid Truſtees, or by any claiming under them, or any of them. And for the Diſcharge of the Truſtees and Contractors, it is further declared and Ordained by the Authority aforeſaid; That all and every the ſaid Truſtees, and Contractors ſhall be, and are hereby diſcharged and ſaved harmleſs, for whatſoever they or any one or more of them ſhall do in Purſuance of this Ordinance: And that if any Action ſhall be brought againſt them or any of them, for any Act done by them or any of them, in Execution of this Ordinance or Inſtructions herein mentioned, then they are hereby inabled to plead the general Iſſue, and to give this Ordinance in Evidence, and if a Judgment paſs for them, they ſhall recover double Coſts. And it is further ordained and declared, that the ſaid Lordſhips, Mannors, Lands, Tenements, and Hereditaments, veſted in the ſaid Truſtees by the ſaid Ordinance of Parliament, intituled (*An Ordinance of Parliament for the aboliſhing of Archbiſhops, and Biſhops within the Kingdom of England and Dominion of Wales, and for the ſetling of their Lands and Poſſeſſions upon Truſtees, for the Uſe of the Commonwealth*) ſhall not be liable unto, but ſtand and ſhall be free and diſcharged of and from all Manner of Statutes, Judgments, Recognizances, Dowers, Joyntures, and other Acts and Incumbrances whatſoever had, made, done or ſuffered, or to be had, made, done, or ſuffered by, from, or under the ſaid Truſtees, other than ſuch Conveyances and Aſſurances as ſhall be by them had, made, done, or ſuffered in Performance, or Purſuance of the Sales and Contracts by them to be reſpectively made according to the Intent of this preſent Ordinance, and ſaving unto all and every Perſon and Perſons, Bodies Politick and Corporate, their Heirs, Succeſſors, Executors, and Adminiſtrators, all ſuch Right, Title, and Intereſt as by the ſaid Ordinance intituled (*An Ordinance of Parliament for the aboliſhing of Archbiſhops, and Biſhops, within the Kingdom of England*

and

and Dominion of Wales, and for setling of their Lands and Possessions upon Trustees for the Use of the Common-wealth) is or are thereby saved. Provided, and it is further declared and ordained: That whereas the late Bishop of *Durham*, and other his Predecessors Bishops of *Durham* have hitherto exercised and enjoyed as Count *Palatines* sundry great Franchises, Liberties, and Jurisdictions, commonly esteemed and called *Jura Regalia*, that this Ordinance nor any Thing therein contained, extend not, nor be construed to extend, to give Power, or Authority to the Persons herein named, or any of them to sell, dispose, or any Way to contract for the said *Jura Regalia* belonging unto the said Bishop or his Predecessors, as Count *Palatine*, or any of them, but that the same shall remain in the said Trustees, named in a late Ordinance intituled, *An Ordinance for the abolishing of Archbishops and Bishops within the Kingdom of England and Dominion of Wales, and for setling their Lands and Possessions upon Trustees for the Use of the Common-wealth*, to be disposed of as both Houses of Parliament shall think fit and appoint, any Thing in this present Ordinance to the contrary thereof contained in any wise notwithstanding. Provided always, and it is further declared, and ordained, That whereas the late Bishop of *Ely*, and other his Predecessors Bishops of *Ely*, have hitherto exercised and enjoyed sundry great Franchises, Liberties, and Jurisdictions, commonly called *Jura Regalia*, that this Ordinance nor any Thing therein contained, extend not, nor be construed to extend to give Power or Authority to the Persons herein named or any of them to sell, dispose, or any way to contract for the said *Jura Regalia* belonging to the said Bishop or his Predecessors or any of them, but that the same shall remain in the said Trustees, named in a late Ordinance intituled (*An Ordinance for the abolishing of Archbishops, and Bishops within the Kingdom of England, and Dominion of Wales, and for setling their Lands and Possessions upon Trustees for the Use of the Common-wealth*) to be disposed of as both Houses shall think fit and appoint, any thing in this Ordinance to the contrary thereof contained in any wise notwithstanding. Provided also, That the Buildings, Fabrick, or Scite of any Cathedral Church or Churches, or any Chappels belonging to such Cathedral Church or Chappels, or any other Churches, Churchyards, or Places used for Burial, shall not be sold or disposed of by Virtue of this Ordinance, any thing therein contained to the contrary notwithstanding. Provided always that the Trustees, and the Treasurers for the time being, by Virtue of this Ordinance, shall pay, or cause to be paid unto the Assembly of Divines their constant pay and allowance, allowed unto them by former Orders of Parliament, with all their Arrears, out of the Rents, Revenues, and Profits belonging to the late Archbishop of *Canterbury*, until such times as the Lands and Revenues aforesaid shall happen to be sold away by Virtue of this Ordinance. And it is further ordained, That if any Person or Persons, Body Politick or Corporate, who shall be Purchasers of any Part of the Premises, shall hereafter be evicted out of any Part of the Premises by Virtue of any eigne, right, title, or interest in, or unto the same; that in such Case, the said Purchaser and Purchasers so evicted, shall have full and due satisfaction, recompence, and allowance made to him, and them for the Monies paid or advanced for the said Purchase, and that in such Manner as both Houses of Parliament shall think fit: And if it be required by the Purchaser or Purchasers, or any of them, their, or any of their Heirs, or Assigns, one or more Acts of Parliament, or Letters Patents under the great Seal of *England* by Authority of Parliament, shall hereafter pass, or be made for the further assuring of the Premises, or any Part of them unto such Purchaser, or Purchasers, their Heirs or Assigns requiring the same.

22 Caroli.

And be it further ordained, That all Rents, Revenues, Issues, and Profits, and all Sum and Sums of Money that shall be due or payable, by Virtue of this present Ordinance for Sale of any of the Premises, shall be received by the said *William Gibbs*, Alderman, *Thomas Noel*, and *Francis Ash*, who are hereby constituted, authorized, and appointed to be Treasurers for the receiving, issuing, and paying out the same at Goldsmiths-Hall, or any other Place where the Trustees, or the major Part of them shall from Time to Time think fit, within the City of *London*, and are hereby authorized and appointed to take and receive the Subscriptions of every Person or Persons, Bodies Politick, or Corporate, that shall subscribe any Sum or Sums of Money for, and towards the raising of the said two hundred thousand Pounds intended to be lent. And it is hereby ordained, that the said Treasurers, or any two of them, shall be, and are hereby authorized, upon the Receipts or Certificates gi-

An 1646. ven by the former Treasurers, Receivers, or Collectors to any Person or Persons, of what was formerly advanced by them in Money, Plate, Horses, Furniture, or Arms, upon the publick Faith, or hath or shall be assigned unto them by any others, upon producing of the same to the said Treasurers, or any two of them, to ascertain their Principal, and Interest, and to give them Receipts for the same. As also for the new Money subscribed, and payed by Virtue of this present Ordinance, in the Name of the Parties to whom the same is owing or so assigned; which Receipts given by the said Treasurers, shall be a good and sufficient Ground to such Persons to whom the same shall be so given, their Executors, Administrators, Successors, and Assigns, to require the Sum, and Sums of Money therein mentioned. And further, that it shall, and it may be lawful for every Person and Persons, Bodies Politick or Corporate, who shall have any Monies due to him or them by Virtue of this present Ordinance, to grant and assign the same unto any Person or Persons whatsoever, and the same Grant or Assignment shall be good and effectual to all Intents and Purposes whatsoever, and allowed of by every Person and Persons whatsoever, to whom it shall appertain to make any Allowance thereof, as if he or they had lent the same themselves.

And if any Person or Persons, shall wittingly or willingly produce any false or forged Acquittance or Certificate to the said Treasurers, thereby to defraud the Common-Wealth; the Person or Persons so offending, shall lose and forfeit his Money lent, towards the raising of the two hundred thousand Pounds, or any Way due to him for Ready-Money, Plate, Horses, Furniture, and Arms, lent, or sent in by him upon the Publick Faith, or assigned unto him as afore-said, the Benefit whereof shall be for the Use and Benefit of the Common-wealth.

And be it further Ordered and Ordained by the Authority aforesaid, that every Person or Persons who shall subscribe, as aforesaid, and not bring in the Money so by him or them subscribed, within eight Days after such Subscription unto the Treasurers appointed by this present Ordinance for the Receipt of the same, shall lose and forfeit the Money that shall be due unto him upon the Publick Faith; unless he shall shew unto the said Trustees, or the major Part of them, some reasonable Cause to be by them allowed. And be it further Ordained, that the said Treasurers hereby constituted and appointed for the receiving and issuing out of the said Money, shall not issue or pay out any of the said Sum of two hundred thousand Pounds, to be borrowed for the Use of the Common-wealth, as aforesaid, but by Ordinance of both Houses of Parliament: Which Ordinance, with the Receipt of the Party, or Parties, to whom the Money is appointed to be paid, shall be a good and sufficient Discharge to the said Treasurers, their Heirs, Executors, and Administrators. And the said Treasurers shall not dispose, disburse, or pay any other Sum, or Sums of Money that shall come to their Treasury; or be paid to them out of the Profits, or by Sale of any of the Premises, but by Warrant of the said other Trustees, or the major Part of them; who are hereby required to give no Warrant for the disposing, issuing, or paying out of any Sum or Sums of Money, that shall be received by Virtue of this Ordinance, but for the Purposes in this Ordinance contained. And if any Warrant shall be made for any other Purpose, the same shall be void.

And be it further Ordained by the Authority aforesaid, That as the said Treasurers shall receive ready Monies by Sale of the Premises, or by Receipt of the Rents and Profits of the same, deducting Charges and Allowances; they shall pay and divide the same to the Lenders, one fourth Part of their whole Debt that shall be owing to them in Course, as they did pay their Money, with the Interest then due; and so from Time to Time, till the whole be paid. Provided always, and it is hereby declared; that it shall and may be lawful for every Lender or Lenders, who shall become a Purchaser of any Part of the said Premises, to defalk or retain any Money that shall be due unto him by Virtue of this present Ordinance, upon every purchase that he or they shall make, if the Sum by him lent shall not exceed the Value of the purchase, or so much thereof as the same shall amount unto. And the said Treasurers shall allow the same accordingly.

And be it further Ordained, that the said Treasurers shall keep true and perfect Books of Accounts of all their Receipts, Disbursments, and Payments; and shall give their Accounts to the Committee, for taking the Accounts of the

the whole Kingdom for the Time being; who are hereby required to take the same every six Months, and thereupon to give just Discharges to the said Treasurers. And after such Discharges, the said Treasurers, their Heirs, Executors, and Administrators, shall not be further questioned for, or concerning any of the Matters for which they have had, and received such Discharges. 22 Caroli.

And further, the said Treasurers shall have deducted and paid unto them, the Sum of one Penny in the Pound, for all Monies by them to be received and paid.

And to the Intent that according to the true Meaning of the said first recited Ordinance, the true Contents and Value of all and singular the Premises may be known, and the best Benefit and Advantage of them may be made for the Use and Benefit of the Common-wealth: Be it Ordained by the Authority aforesaid, That *Hen. Elsynge* Esq; Clerk of the House of Commons, shall be Register and Keeper of, and shall have the custody and keeping of all Records, Charters, Evidences, Court-Rolls, Leiger-Books, Writings, Books of Survey, Rentals, Certificates, and other Things of or concerning the Lands and Possessions of the late Archbishops and Bishops, or concerning any the Counties Palatine, Honours, Mannours, Castles, Lands, Tenements, Hereditaments, or other the Premises in the above recited Ordinance, and herein mentioned. And that all and every the Surveyors of the Premises shall make their Returns of all and every their respective Surveys by them taken from Time to Time, to the said *Henry Elsynge*, who shall make Entry of all such Surveys, Certificates, and other Proceedings, as shall from Time to Time be returned or certified by the said Surveyor or Surveyors of the Premises; And shall also make forth, Rate, and Sign all and every Particular and Particulars of the Premises, or any Part thereof, whereupon any Contract or Contracts for Sale or otherwise shall, or is to be had, or made. And all and every the said Contractors shall certifie all Contracts so by them, or any of them made, to the said *Henry Elsynge* accordingly, who shall make Entry of all and every such Contract and Contracts, and other Proceedings thereupon: Every which said Particular and Particulars of the Premises so to be made forth under the Hand of the said *Henry Elsynge*, shall be from Time to Time a good and sufficient Authority to and for the said Contractors, or any four or more of them, to contract, agree, or proceed thereupon; To have, hold, execute and enjoy the said Office or Place of Register and Keeper, by himself, or his sufficient Deputy, together with the yearly Fee of one hundred Pounds *per annum*, payable out of the Receipts, Rents and Revenues arising out of the Premises, by the Hands of the Treasurers herein before mentioned; on the Five and twentieth Day of *March*, the Four and twentieth Day of *June*, the Nine and twentieth Day of *September*, and the Five and twentieth day of *December*, Quarterly, by equal Portions; and other reasonable Fees for Writing, Rating, and Signing of the said Particulars, and otherwise in the Execution and Discharge of the said Place. Provided that the said Register and Keeper shall have but Three-pence the Sheet, of all Things that are to be copied, and to write fifteen Lines in each Sheet. Which said yearly Fee of one hundred Pounds, the said Treasurers are hereby required and authorized to pay accordingly, and that the Acquittance of the said *Henry Elsynge* shall be a good Discharge to the said Treasurers and every of them, for the Payment thereof as aforesaid.

And it is hereby further Ordered and Ordained by the Authority aforesaid, That the said Trustees, or the major Part of them; the Survivors of them, or the major Part of them their Survivors, and the Heirs of the said Survivors, shall and may from Time to Time nominate and appoint under their Hands and Seals respectively, so many Persons as they shall think fit, to be Surveyors for the putting of this Ordinance in Execution touching the surveying of the Premises; Who shall have Power to go into all and every the Counties, Cities, and Places within the Kingdom of *England*, and Dominion of *Wales*, or into so many of them as shall be thought fit.

And it is further ordained by the Authority aforesaid, that the said Surveyors, or other Persons to be authorized, as aforesaid, or any three, or more of them, shall have full Power and Authority to enter into, and survey all, or any of the Premises, or any Part thereof; and they, or any three, or more of them, shall also have full Power, and Authority, as well by the

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the Oaths of good and lawful Men, as by all other good and lawful Ways and Means, to enquire and find out what County Palatine, Honours, Manours, Lordships, Granges, Messuages, Lands, Tenements, Meadows, Leasaws, Pastures, Woods, Rents, Reversions, Services, Parks, Annuities, and other Possessions, Priviledges, Liberties, Immunities and Hereditaments whatsoever, of what Nature or Quality soever they be, lying, or being within every such County, or City, as aforesaid, did at any Time belong, or appertain unto all, every, or any such such Archbishops, or Bishops, in Right of Archbishopricks, Bishopricks, Dignities, or Places respectively, or to any other Person or Persons in Trust for them, or any of them as aforesaid, in Right of the said Archbishopricks, and Bishopricks, and what, and how much of the same is in Possession, and the true yearly Value thereof, and what, and how much thereof is in Lease, and for what Estate, and when and how determinable; when such Leases or Estate was made, and whether antidated, and what Rents, Services, and other Duties are reserved and payable during such Estate, or issuing out of the same: As also what Rents, Pensions, Charges, or other Sums of Money are issuing, due, or payable out of the Premises, or any Part thereof: And what Lands or Premises are subject, or chargeable to, and with any good, pious, and charitable Use, or Uses, and the Certainty of the same; and to make one, or more exact and particular Survey, or Surveys, and Certificates of their Proceedings, which Certificate and Surveys shall be recorded, and all Charters, Evidences, Court-rolls, and other Writings belonging to all, or any the Archbishops, Bishops, Archbishopricks, or Bishopricks, or concerning any of the Counties Palatine, Honours, Manours, Castles, Lands, Tenements, Hereditaments, or any other the Premises before mentioned shall be kept in such Place in *London* or *Westminster*, as the said Trustees, or the major Part of them shall think fit and appoint. And that the said Surveyors, or any three, or more of them, shall have Power and Authority, so often as they shall be thereunto appointed by the said Trustees, or the major Part of them, to keep Courts of Survey within any of the Counties Palatine, Honours, Manours, and Premises. And to call before them any of the Tenants, or other Persons whom they shall conceive to have any Interest in any of the Premises, to shew their Writings and Evidences, and discover what Right, Title, or Interest, they or any of them have or may claim, of, into, or out of the same, or any Part thereof. And also to examine by Oath or otherwise, any Person or Persons (other than such as have or claim to have Interest or Title therein) for, or concerning the Discovery of the Contents, Mets, Bounds, Extents, Titles, Rents, Improvements, Valuations, and Jurisdictions, of all, or any of the Premises: And for the discovering of any Records, Evidences, Writings, or Memorandums, concerning the same: And that as well the said Trustees, or any three of them, as the said several Surveyors so authorized, or any three or more of them as aforesaid, are hereby authorized to administer an Oath concerning the Premises to any Person or Persons (other than such as have or claim to have Interest or Title, concerning such the Premises as shall be in Question;) And also to commit to Prison any Person or Persons (other than such as have, or claim to have any Interest or Title as aforesaid) that shall refuse to take such an Oath, or discover his Knowledge concerning the Estate, Title, or Evidences, of any the Lands hereby intended to be sold and disposed of, or refuse to deliver such Evidences and Wrtitings concerning the same, which are in his Custody or Power, and do not concern the Maintenance or Defence of his Interest, or such Rents or Profits as he had Title unto. And all Justices of Peace, Sheriffs, Mayors, Bayliffs, and other Persons, are hereby required to be aiding and assisting to the said Surveyors, or any of them, in the executing of this Ordinance, provided that it shall not extend to the imprisoning of any Peer of this Realm. And be it further Ordered and Ordained by the Authority aforesaid, That the Commissioners of Excise and new Impost for the Time being are hereby charged and required upon the Certificate of the said Treasurers, certifying what Sum or Sums of Money are due and payable to any Person or Persons, Bodies Politick or Corporate, by Virtue of this present Ordinance, to pay Interest after the Rate of eight Pounds in the hundred for the same, to every such Person or Persons, Bodies Politick and Corporate, their Executors, Administrators, Successors or Assigns at the End of every

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six Months, during the Time that the said Sum and Sums of Money, or any Part thereof shall remain unpaid; which Certificate the said Treasurers are hereby authorized and required to make accordingly. And in Case the whole two hundred thousand Pounds, or so much thereof as shall be lent, and the Interest thereof, and such other Sum and Sums as are payable by this present Ordinance for Money, Plate, Horses with Furniture and Arms formerly advanced, with the Interest thereof, shall not be satisfied by the Treasurers aforesaid, before all Sums of Money charged upon the said Excise or New Impost, by Virtue of any Ordinance of both Houses of Parliament, made before the twentieth Day of *September* last, (except the two Ordinances of Parliament for ten thousand Pounds, and four hundred Pounds for the Widows,) shall be by the said Commissioners of Excise paid and satisfied; that then the said Commissioners of Excise upon the like Certificate from the said Treasurers as aforesaid, shall be, and are hereby charged, and chargeable to pay the same with Interest as aforesaid, or so much thereof as shall be then due and unpaid, and shall begin to pay the same when they have in ready Money one fourth Part of the whole Debt that shall be owing to the Lenders in Course, as they did pay their Money, with the Interest then due, and so continue until the whole Money hereby secured to be paid and then unpaid shall be fully paid and satisfied, in such Manner as the Treasurers before mentioned were appointed to pay the same; and the said Certificates of the said Treasurers, with the Receipt of the respective Lenders shall be a good Discharge to the said Commissioners of Excise and every of them, for their Payment of any Sum or Sums of Money, by Virtue of this present Ordinance. And to the End a just and true Accompt, and Registry may be made, and kept of all and singular the Debts and Monies owing by the Parliament, to such Person and Persons as shall advance, or lend any Sum or Sums of Money upon the Security of the Bishops Lands, and the Grand Receipt of the Excise in Course, or which of them shall first be enabled to furnish Monies for the Repayment thereof, as also of all payments and disbursements which shall be made, or issue out of the same. Be it Ordained by the Authority aforesaid; That, for and during the Pleasure of both Houses of Parliament there be, and shall be one Register Accomptant, who shall keep a true and plain Accompt, or Accompts, of all and every Debt and Debts due, or owing by the Parliament, for Plate, Money, Horses, or their Furniture, to any Person or Persons, which shall have advanced or lent Monies as aforesaid; and also of all such Interest as is, or shall be due upon or for the same; which said Register Accomptant shall have full Power, and is hereby authorized to view, peruse, and take Copies of all and every Books, Writings, and Entries, in whose Hands or Custody soever they or any of them are or shall be, wherein are or ought to be registred or entred any Monies, Plate, or Horses, with their Furniture, which have been lent, or set forth for the Service of the Parliament, to the End he may be the better enabled to discover, and find out whether according to the Notes, Entries, and Accounts as shall be brought in upon the foresaid Advance, the Plate, Monies, Horses, and Furniture mentioned therein, were at the Days and Times therein contained truly and really lent, and set forth for the Service of the Parliament or not; and upon due Examination made thereof, the said Register Accomptant shall make true Certificate of all such Debts which he shall find to be justly charged, together with the Interest due for the same unto the Treasurer or Treasurers for the Time being, appointed by both Houses of Parliament for the receiving of the Monies which shall be advanced upon the foresaid Security; upon whose Approbation or Allowance the said Register Accomptant shall give due Credit for the same upon Account, that so it may plainly appear how much, and to whom the Parliament is indebted; and when any Monies are paid or issued forth, he shall also make the Parties receiving the same Debtor upon the same Accompt, and perform all other requisite Services appertaining to the said Place. And the said Lords and Commons taking into their Considerations the faithful and good Service of Colonel *Robert Manwairing*, do hereby constitue and appoint him the said Colonel *Robert Manwairing* to be Register Accomptant of all and singular the Accompts and Registries, which shall be kept of or concerning the Premises; to hold, execute, and enjoy the same Office of Register Accomptant, together with the yearly Fee of two hundred Pounds *per Annum*, payable out of the Rents and Proceed of the Bishops-Lands, by the Hands of the

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And it is further Ordained, That *John Fowke*, Alderman of the City of *London*, shall be Comptroller of all Entries, Receipts, and Payments, which shall be made to or by the said Treasurers, and shall have Power and Authority by himself, or his sufficient Deputies, to keep Account of all Entries, Receipts, Payments, and Discompts whatsoever, which shall be made unto or by the said Treasurers; And the said Comptroller and his Deputies shall execute the said Place of the Comptroller in the Premises, according to the Instructions hereafter mentioned, and such other Instructions as the said Comptroller shall from Time to Time receive from both Houses of Parliament.

And it is further hereby ordained, That the said *John Fowke* shall have for Salary the yearly Sum of two hundred Pounds to be paid him quarterly by the said Treasurers, who are hereby authorized and appointed to pay the same, for which this present Ordinance with his Receipt, shall be their sufficient Discharge. And for the better securing of the principal Monies and the Interest herein mentioned, be it ordered and ordained, That the Excise and New Impost upon Commodities, mentioned in the Ordinance of the eleventh of *September*, one thousand six hundred forty and three, or any Ordinance or Ordinances of this present Parliament, made in Explanation and Continuance thereof, shall be continued, taken and put in due Execution, until such Time as all Sums of Money payable by Virtue of this present Ordinance shall be paid and satisfied; And the Payment of the said Monies to be due and payable by Virtue of this Ordinance, shall not be debarred, put by, or deferred from being paid out of the said Excise, as aforesaid, by any Order or Orders, Ordinance or Ordinances, of one or both Houses of Parliament, or otherwise by the Payment of any other or further Sum or Sums of Money, than the same was and is charged with upon the said twentieth of *September* last past (except as is before excepted.) And the Commissioners of the said Excise and New Impost for the Time being, are hereby charged and required, not to dispose or pay any Monies that they shall receive for the New Impost or Excise, after the same shall be charged in Course as aforsaid, with the Payment of any of the principal Money in this Ordinance contained, until such Time as the same, together with the Interest and every Part thereof then behind and unpaid, shall be paid unto the Person or Persons, Bodies Politick or Corporate, their Executors, Administrators, Successors, or Assigns, to whom, upon the Certificate of the said Treasurers as aforesaid, the same shall be found due for any Sum of Money that shall be lent for and towards the raising of the said two hundred thousand Pound now to be raised, and of the said Sum of Money heretofore lent upon the publick Faith, which with the Interest as aforesaid, is to be paid by Virtue of this present Ordinance.

And be it further ordained by the Authority aforesaid, That the said first recited Ordinance, and this present Ordinance, and every Article, Clause, and Thing therein contained, shall be pleadable, and may be given in Evidence in any of his Majesties Courts of Justice or other Courts, and the Judges of all the said Courts, are required to allow and admit the same.

And it is also ordered and ordained, by the Authority aforesaid, That if the Trustees, or any of them, shall require it on the Behalf of themselves or the Lenders, one or more Act or Acts of Parliament, or Letters Patents under the great Seal of *England*, shall be passed for their or any of their further Security.

And it is lastly ordained, That this present Ordinance, and the former recited Ordinances, shall be printed and published in all Counties, and other Cities, Towns Corporate, Parishes, Towns, Hamlets, and other Places where the said Trustees, or the major Part of them shall think fit.

Provided always, and be it ordained by the said Lords and Commons, That neither this Ordinance, nor any Branch, Clause, Article, or Thing therein contained, shall extend to the great Capital Messuage, with the Appurtenances situate in *Chancery-Lane London*, commonly called or known by the Name of *Serjeants-Inn* in *Chancery-Lane*, wherein the Judges and Serjeants

jeants of the Law, have for a long time lodged and resided, and still do lodge and reside, nor to any part of *Lincolnes-Inn* in *Chancery-Lane*, nor shall in any wise be prejudicial or any Disturbance to the quiet Possession of the said Judges or Serjeants that now are, or shall at any time hereafter reside and lodge in the said Messuage, or to any of the Society of *Lincolnes-Inn* within *Lincolnes-Inn* aforesaid, any thing in this present Ordinance contained to the contrary thereof in any wise notwithstanding; but that the said Messuage and *Lincolnes-Inn* aforesaid, with the Appurtenances, shall continue and be a House of Lodging and Residence to and for the said Judges and Serjeants, and others of *Lincolnes-Inn* aforesaid, and for their Use and Benefit, in such manner as they have been used and accustomed, at and under the yearly Rents usually paid for the same, for the time that the said Rents is to continue by any Leases now in being. And that the said Trustees appointed by Order of Parliament for the Bishops Lands, and the Surviver and Survivers of them, their Heirs and Assigns, shall dispose of the said Messuage, with the Appurtenances, from time to time, as by the said Judges and Serjeants for the time being shall be directed and appointed, saving to all and every Person and Persons, other than the said Bishops and their Successors, all such Right, Title, and Interest as they or any of them have or ought to have of and in the Premises.

Provided further, and be it Ordained, That the said *Serjeants-Inn* shall be in the disposing of both Houses of Parliament, after the expiration of any Lease now in being, saving to all and every Person and Persons other than the said Bishops and their Successors, all such Right, Title, and Interest, as they or any of them have or ought to have of and in the Premises.

Provided always that this Ordinance shall not extend to the putting out of any Stewards of any Liberties or Courts formerly appointed and made by Virtue of any Ordinance of Parliament, but that they shall continue and be, during such time as the said Liberties and Courts shall remain and be in the Hands of the aforesaid Trustees, and that they shall have and receive all such Fees, Profits, and Allowances, as formerly were allowed them, this Ordinance or any other Ordinance, Act, or Thing to the contrary notwithstanding.

Instructions for a Comtprol upon the Accounts of all Monies to be received and paid by or to the Treasurers appointed by this present Ordinance.

I.

THAT the Comptroller by himself, or his sufficient Deputies, attend daily according to the usual times, and be present at all Receipts and Payments, made within the said Treasurers Office, and make Duplicates or Entries of the same in fitting Books, to be provided and kept for that Purpose.

II.

That every Tenant of the Premises, or any part thereof, and every Purchaser of the Premises, or any part thereof, upon every Payment of any Sum of Monies that he shall make to the Treasurer, shall enter his Acquittance with the Comptroller, which the Comptroller shall enter without Fee.

III.

That the said Treasurers, or their Clerk to the Cash, shall weekly upon every Monday *Morning deliver to the Comptroller or his Deputy, a Copy of all Receipts, Payments, and Disbursements, and to whom, during the preceeding Week; which the Comptroller is hereby required to enter in a Book to be kept for that Purpose; and that no Payment to be made by the said Treasurers, shall be allowed upon their Accompt, unless an Accompt thereof be weekly given as aforesaid.*

IV.

That the Register shall weekly from time to time make Certificate to the Comptroller of all Rents, and of all Rates of Particulars, and of all Monies payable upon any such Particulars, Contracts, or Bargains, made by Virtue of this Ordinance, which shall be forborn upon Security, and how, and by whom the same is secured, and at what time payable; which Certificate the Comptroller shall enter in a Book, to be by him kept for that Purpose.

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Instructions for Contractors for the Sale of the late Arch-bishops and Bishops Lands.

THat the Contractors shall be sworn before the Trustees, or any three of them, according to their best Skill and Knowledge faithfully to discharge the Trust committed to them, and that they shall not for Favour, Affection, Reward, or hope of Reward, break the same Trust; which said Trustees, or any three of them, are hereby authorized to administer the said Oath accordingly.

That the Demesne Lands of the late Arch-bishops and Bishops in Possession, shall not be sold under Ten Years Purchase, of the full Values they were at in the Year 1641. The same Rule to be observed proportionably in the Sale of Reversions, expectant upon Estates for Lives or Years.

That the due respect to be had by the Contractors, to the immediate Tenants, of any of the late Arch-bishops or Bishops, shall be in admitting them to the pre-emption of those Manours, Lands, Tenements, and Hereditaments wherein they have any Interest, so as the said Tenants do come within thirty Days after the return of the Certificates by the Surveyors, and agree to purchase the same; and in Case they do not agree within the said thirty Days, that then the said Contractors do sell the same to any other Person or Persons that shall desire to purchase them, so as such Sale be made at a higher rate than was offered by the said Tenants.

That upon the sealing of the Assurance, the Purchaser shall pay half his Purchase Money down, and the other half within six Months; and for the last Payment the Contractors shall take care, that they take good Security either by the Land it self, or else by Personal Security. The same Security to be given to the Treasurers.

That in all Cases where any Person or Persons, that have lent any Monies upon this Ordinance shall be Purchasers, their Monies so lent shall be esteemed as so much paid towards their Purchase, if it exceed not the Moiety of the Purchase Money: And for what exceeds the Moiety, that every such Purchaser shall be allowed Interest for it until the End of six Months, wherein the remainder or total of the Purchase Money is to be paid.

Instructions for the Surveyors of the late Arch-Bishops and Bishops Lands, which are to be surveyed.

THat the Trustees as aforesaid shall have Power to nominate one, two, three, or more Surveyors to survey the Premises, or any part of them as they shall think fit, and that the Surveys and Returns made by any such one, two, three, or more Surveyors, shall be good and effectual to be proceeded upon, notwithstanding any Clause in any Ordinance of Parliament to the contrary.

That the Surveyor or Surveyors appointed, or to be appointed by the Trustees, shall Survey, and inquire what Timber, Buildings, open Quarries. or Mines are upon any of the Premises, and certifie the Condition and Values thereof.

That no Surveyor, or any his Child or Children, or any in Trust for him or them, shall be admitted to be a Purchaser of any part of the Lands surveyed, or to be surveyed by himself, upon pain of losing his or their Purchase-Money, and the Purchase to be void.

Provided, that nothing in the Instructions, Oath, or in this present Ordinance, shall be construed to compel the Surveyors to make any Admeasurement of the Lands, or any particular Survey, and of the Number of Acres, unless they in their Discretion shall think fit; the Intention of the Houses being, That the said Surveyors should make a speedy return of their several Surveys, to the End that a speedy Sale may be made thereupon.

Instructions

22 Caroli.

Instructions to be observed by the Register.

I.

THAT he do receive all Surveys, and Certificates to be returned by the Surveyors, and immediately after the Receipt thereof, fairly enter and Register the same in Books, to be kept by him for that purpose, and in an orderly manner, file, bundle up, and safely lay up, and keep the Originals.

II.

That he do weekly or oftner certifie unto the Contractors, what Surveys and Certificates are returned to him, and of what Manours, or otherwise as the Case shall require.

III.

That upon Warrant and Direction from the Contractors, he do make forth, and fairly ingross in Parchment, Particulars of all such Manours, Lands, Tenements, and Hereditaments, Buildings, Woods, or other things surveyed and certified into his Office, by the Surveyors, whereupon the Contractors are to proceed, or intend to make any Sale, and that they do examine and Sign the same Particulars, and deliver them to the Contractors.

IV.

That upon Contract or Agreement made by the Contractors, for any Manours, Lands, Tenements, Hereditaments, Buildings, Woods, or other thing contained in any Particular made forth, signed and delivered unto them by the Register, the said Particular be returned to the Register, together with the Order of Agreement or Contract made with the Purchasers thereupon.

That upon return thereof, he do forthwith rate the Particular, and ascertain the purchase Money, how much it comes to, at how many Years Purchase the Particulars contracted for are sold, and enter the same upon the said Particular, together with such other proceedings as shall be required by the Contract.

That he do return the Particular thus rated and ascertained to the Contractors, who are to sign the same, to attest the Agreement. and thereupon to desire and give Warrant to the Trustees to draw up and seal Conveyances thereof to the Purchasers accordingly.

That all Particulars thus finished, together with all proceedings thereupon, be fairly entred or registred by the Register, and be safely kept by him as Records, and that after such entring and registring thereof, the Register to deliver the said Particulars unto the Trustees to perfect the Sale as aforesaid.

And to the end this Service may be performed in such manner as the Register may be able from time to time to give an Account of all proceedings (if he shall be required) to the Parliament, himself, or one of his Deputies, are to attend upon, and enter all Orders and Proceedings before the Contractors.

That he do weekly make Certificate to the Treasurers, Comptroller, and Register, Accomptant of all Rents, and all Rates of Particulars, and of all Monies payable upon any Contract upon any Particular, how much thereof is to be paid in Hand, and how much to be forborn, and for what time, and how, and in what manner the Sum or Sums to be forborn are to be secured.

That he do methodize and put in good Order all Charters, Evidences, and Writings, belonging to the late Archbishops, and Bishops, and all Books of Survey, and other things to be delivered to his Care and Custody, to be kept by him as Records, and make Catalogues of them and fit them, in such manner, as the Subject may readily see, and have Copies (if he desire it) of whatsoever shall be brought into the Register's Office, and be under his Charge and Custody.

An. 1646.

17 *November*, 1646.

ORdered by the Lords and Commons Assembled in Parliament, That there be an Additional Allowance of three hundred Pounds per annum, allowed and paid unto Master Alderman Fowke, for his Sallary, for his Execution of the Place of Comptroller of the Receipts of Monies mentioned in the Ordinance, for the appointing the Sale of the late Bishops Lands, over and above the two hundred Pounds per annum, appointed by the said Ordinance.

Joh. Brown, Cler. Parliamentorum.

Nov. 13. 1646.

Monk takes the Covenant, and is employed by the Parliament to Ireland.

A Message came from the Lords to the House of Commons, That Col. *George Monk*, who was a Prisoner to the Parliament, had taken the Solemn League and Covenant, and was ready to take the Negative Oath likewise; and that their Lordships conceiving him a fit Man to be imployed for the Service of *Ireland*, in Respect of his Valour and Abilities in Martial Affairs, do desire that he may have a Commission from the Committee of both Kingdoms for that Service; which the House of Commons agreed unto, and a Commission was granted to him accordingly.

Nov. 12.

The Parliaments General Sir *Thomas Fairfax* came to *London*, being met some Miles off the City by its Militia; and on *Saturday Nov.* 14. both Houses went to visit and congratulate him, at his House in *Queen-street*, where first the Earl of *Manchester*, Speaker *pro Tempore* of the House of Peers, complemented him in the Name of that House; And they being gone, came the House of Commons, and *Lenthal* their Speaker spake as follows.

Sir,

The Speaker's Speech to congratulate Sir Thomas Fairfax, *Nov.* 14.

I Have a very hard Task to perform, to present the Respects of the House of Commons according to your Excellency's Merit, and their Desires. To effect this accordingly, I should have informed my self from Histories, that have preserved the Memories of the famous Worthies of former Ages, and should have taken the Dimensions of the largest Coronets and Trophies wherewith they are made Glorious; and even those would rather streighten than enlarge the Temples of your Excellency: Or else I should have consulted some of the most Learned and Eloquent Orators, who have set forth the Glorious Gests performed in former Times, whereby I might have insisted on some Parallel for your Wisdom, Piety, Justice and Valour, but I conceived the Virtues and Success which God had bestowed upon you, were very hardly to be match'd, and rather needed more Industry and Memory to enumerate, than Oratory to Polish.

Heretofore when I read the Histories of the Acts of Famous Princes and Warriors in this or other Nations, it was not without some jealousie, that in them there was some Mixture and Glosses of Oratory and Art, the more to set off and give Lustre to their Acts, as Arguments of Emulation, for others to follow the Footsteps of their Virtues; but the Actions of your Excellency will add Lustre and Belief to them, being all verified in you. And (indeed) here, considering the swift Marches, and the Expedition of those grand and difficult Attempts, which were prosecuted and effected by your Excellency, I may say, *The Almighty came riding on the Wings of the Wind*, for these were nothing else but the *Magnalia Dei*, acted in and by you his Instrument.

It was the Custom of the Ancient *Romans*, after a glorious and successful Prince, to derive his Name to Posterity in Memory of his Virtues; as after that great Prince *Julius Cæsar*, his Successors retained the Name of *Cæsars*, as *Augustus Cæsar*, *Tiberius Cæsar*, &c. Thus hereafter all Famous and Victorious

Victorious succeeding Generals in this Kingdom (if the Time shall prove so unfortunate) will desire the Addition of the Name of *Fairfax*. 22 *Caroli.*

And surely the Honour of the late Lord General was not, whilst he lived, any way Eclipsed by the Succession of your Excellency in his Command, but rather augmented, whilst each retained the Brightness of his own Honour, having both Rays enough to enlighten a Kingdom then overset with Clouds and thick Darkness.

I shall need to say no more but this, That the World will admire your Excellency's Worth, Posterity will honour your Name, and that the whole House of Commons, in the Name of the Commons of *England*, doth return you Thanks for your faithful and memorable Service: The Beginning, Continuance, and Effect whereof I must solely attribute to the Almighty, the Lord of Hosts and Victories.

To this the General made a very Modest Return, expressing how much he esteemed himself Honoured by the great Respects of the Houses towards him, and that he accounted it his greatest Happiness under God to be in the least kind Instrumental for theirs and the Kingdom's Good.

The Monies on the before mentioned Proposals and Security of the Bishops Lands came in so fast, that the whole Sum of two hundred thousand Pounds was this Day made up, and was ready at Goldsmiths-Hall; and the *Scots* Commissioners being made acquainted therewith, it was on the fifth of *December*, ordered and agreed, That the said Money should be sent down to *York*, and there told, and 100000 *l.* thereof paid at *North-Allerton* within five Days after it is told; That when that Money comes to *Topcliff*, the *Scots* should give Hostages that they should quit all their Quarters, Possessions and Garrisons on the South-side *Tyne*, *Newcastle*, and *Tinmouth*, with all the Arms, *&c.* within ten Days, and upon Performance the Hostages to be re-delivered. And that then the Kingdom of *Scotland* shall have Hostages given them for Assurance that the other hundred thousand Pounds shall be paid on the North-side *Newcastle*, within a Mile of the Works, within eight Days after the quitting *Newcastle*, *Tinmouth*, &c. and all their Forces drawn on the North-side of *Tyne*; That upon the Payment of the said other hundred thousand Pounds on the North-side of *Newcastle*, the English Hostages to be released; And upon the coming of the Money out of *Newcastle*, the *Scots* are to give Hostages, that their Army shall March out of the Kindgom, and quit *Berwick* and *Carlisle*, and slight the Garrisons in *Scotland* within ten Days, and then their Hostages to be delivered back. *Nov.* 27.

For the other 200000 *l.* the *Scots* Commissioners insisted that it might be paid out of *Delinquents* Estates, or some other particular Security; but the House would only give them the Publick Faith for it.

Maj. General *Skippon* was recommended by *Fairfax*, as a fit Person to be made Governour of *Newcastle*, when it should be quitted by the *Scots*, and to command the Convoy that was to go down into the North, and to receive Possession of those Places; And the two Houses ordered the same accordingly. And on the sixteenth of *December* the Monies in thirty six Carts marched out of *London*, and *Skippon* met it at *Northampton*; to which Place also General *Fairfax* went down, the better to settle his Army in new Quarters. *Dec.* 11.

The Commons Voted, That the *Scots*, after the Payment of the first two hundred thousand Pounds to them, shall take no free Quarter, nor levy any Monies upon the Country; And both Houses agreed *Dec.* 21.

An. 1646. agreed that a Committee of Lords and Commons ſhould be ſent into *Scotland* upon the departure of the *Scots* Commiſſioners from hence, which Committee ſhould be enabled to ſatisfie the Kingdom of *Scotland* in all Points, and prevent Miſunderſtandings between the two Kingdoms; and for this Committee, the Lords named the Earl of *Stamford*, and the Commons Mr. *Aſhurſt* and Mr. *Tho. Goodwin*.

Hitherto nothing was agreed upon touching the diſpoſal of the King's Perſon, but it was concluded that the ſame ſhould not be any Hindrance to the marching away of the *Scots* Army upon the Payment of their Money.

The Parliament of *Scotland* had for ſome time been Sitting, and being on the 16*th* of *December* turned into a grand Committee to conſider touching the diſpoſal of his Majeſty's Perſon, it was reſolved, That preſent Inſtructions ſhould be ſent to their Commiſſioners, to preſs his Majeſty's coming to *London* with Honour, Safety, and Freedom, and that they ſhould declare their Reſolutions to maintain Monarchical Government in his Majeſty's Perſon and Poſterity, and his juſt Title to the Crown of *England*.

Which Reſolutions gave the King's Friends there great Hopes; but the next day all was daſh'd again, for then the following Warning was preſented to the Parliament from the Commiſſion of the Kirk.

A Solemn and Seaſonable Warning, to all Eſtates and Degrees of Perſons throughout the Land; By the Commiſſioners of the General Aſſembly, Edinburg, 17. Decemb. 1646.

THE Conſcience of our Duty, and of the great Truſt repoſed in us, ſuffereth us not to be ſilent, nor to connive at the preſent Dangers which may juſtly be apprehended and expected from the Enemies of this Cauſe and Covenant; Who although they cannot in this Conjuncture of time appear in the ſame manner as formerly they have done; yet having retained the ſame Principles (while they ſeem to lay aſide their former Practices do in a more covert and dangerous way ſtill drive at their own Ends; And as Satan is neither Sleeping nor Idle, though he appear not always as a roaring Lion; So theſe who are inſpired and acted by him, have their Wheels ſtill moving, though ſometimes they make no great Noiſe. Wherefore that we may truly and faithfully contribute what is incumbent to us, for preventing or removing any Occaſions of new Troubles or Differences between the King and his People, in both, or either of thoſe united Kingdoms, or between the Kingdoms themſelves; And leaſt the Church of Chriſt, and the true Reformed Religion be again toſſed with another, and perhaps a greater Tempeſt in the depth, after we ſeemed to be near the Harbour; We have found it, not only competent to our Place and Calling, but neceſſary for us (according to former laudable Preſidents both old and late) To emit this new Seaſonable Warning to the People of God in this Land, and to all Eſtates and Degrees of Men therein; Whom we exhort, That firſt, and above all things, they apply their Thoughts to make Peace with God, To take notice of the remaining and renewed Tokens of Divine Diſpleaſure againſt the Land, To tremble at the rememrance of former, and Appearances of future Judgments, To lament after the Lord, To lye low before the Throne of Grace, To cry mightily to Heaven for diſpelling that Cloud of Sin which ſeparateth between our God and us, and for turning away that Cloud of Wrath which hangeth over our Heads. There is Cauſe to be humbled and to repent, as for all our Iniquities, So for the too little Aſſiſtance which hath been given to ſuch as have born the heavieſt Burthen, and ſuffered moſt in this Cauſe; And for the (too much compliance with, and indulgence to many who have been active in the late execrable Rebellion.

We know that none can reach the perfection of their Duty, neither will the Lord reckon with his People according to his Justice, but spare them who walk in the integrity of their Spirits, as a Man spareth his own Son, so that they may rejoyce in his Mercy, notwithstanding of their short-comings wherein they do not allow themselves; But wilful Neglects are just grounds of a great Controversie on the Lord's Part, and of deep Humiliation on ours: And we conceive that the Failings of many are such, because the Word of the Lord is a Burthen unto them; And though they walk in the ways of their own Heart, yet they say they shall have Peace; We would have none that are thus guilty to account light of it, and say, *Is it not a little one?* Every Duty whereto we are obliged in the Covenant, is of great consequence, and Breaches even in smaller things prove Inlets unto more grievous Revoltings. 22 *Caroli.*

When we consider how many who were once open Opposers or secret Underminers, being received to the Covenant, yet remain disaffected to the Ends of the same; We cannot but think that we walk in the midst of Snares, and that Mysteries of Iniquity work amongst us, which may produce most sad and lamentable Effects, unto the prejudice of our Religion and Liberties. Therefore, Because God hath no greater Quarrel against a Nation than that of a broken Covenant; Let all who fear an Oath, remember the Vows of God which are upon them, *Watch and Pray*, and take good heed that they be not cheated nor charmed into a violation of all, or any of the Articles of that Sacred and Solemn League and Covenant; And let those especially be observed and avoided, who do, or shall endeavour a Division and Breach between the Kingdoms, or the making of any Factions or Parties contrary to the Covenant, under pretence of preserving the King and his Authority, whilst they do not constantly and sincerely prosecute and press our frequent Desires of his subscribing the League and Covenant, and giving Satisfaction in all things to the just desires of both Kingdoms; which underhand dealing can prove nothing else, but an abusing of His Majesty for Mens own Designs: We wish that none suffer themselves to be deceived by any false Glosses of the Covenant, under which some may possibly urge the keeping of it, so as to draw us into a certain breach thereof, and press the Defence of the King's Authority and of Religion, to engage us in those ways that would tend to the ruin of both: We are not now to press the want of full Satisfaction in the much-desired Work of Uniformity, as the ground of a Breach between the Nations; Though we still conceive, this Nation will never be wanting to prosecute that Work to the uttermost of their Power in all lawful ways, according to the League and Covenant.

These Kingdoms, after many fervent Supplications and faithful Endeavours of all the Lovers of Truth and Peace, have been happily united into a League and Covenant, which to this Day hath been kept inviolably, notwithstanding all the Oppositions of open Enemies, and plotting of secret Underminers; And we are confident, that none but such as have Hearts full of Atheism and Treachery, will attempt the Violation thereof, in whole, or in part; And that if any shall do the same, they shall expose themselves to the Curse of Almighty God, who will be avenged upon all that Swear falsly by his Name. We know that Men of perverse Minds, wanting the Fear of God, and measuring all things by their own Ends, may conceive of it as alterable, or at least, that all the Clauses or Heads thereof are not so to be stuck upon, but that some one or more may be dispensed with upon civil Advantages: But *we have not so learned Christ* or his Word; Both Nations have Covenanted with God, and each of them with another, in things most lawful and necessary for the preservation and good of both, without any limitation of time: And therefore we and our Posterity are obliged before God unto the Observation thereof, *as long as the Sun and Moon shall endure.* The Sense of these things ought to be so deeply engraven upon the Hearts of all that are in trust, That as they should from their Souls abhor every thought of a Breach with *England*; So should they carefully and wisely study to avoid every thing that may prove a Snare and Tentation unto the same. Amongst other things, if his Majesty shall have thoughts of coming to this Kingdom at this time, he not having as yet subscribed the League and Covenant, nor satisfied the lawful Desires of his Loyal Subjects in both Nations, We have just Cause to fear that the Consequences of it may be very dangerous,

An. 1646. rous, both to his Majesty and these Kingdoms; Which therefore we desire may be timely prevented.

For so long as his Majesty doth not approve in his Heart, and seal with his Hand the League and Covenant, we cannot but apprehend, that according to his former Principles, he will walk in Opposition to the same, and study to draw us unto the violation thereof, and the dissolution of the Union so happily begun between Us and our Brethren, To weaken the Confidence and Trust, and to entertain Jealousies, and make Divisions amongst our selves: Neither is it possible, but that our receiving him in this present Posture of Affairs, will confirm the Suspicions of the English Nation, of our under-hand dealing with him before his coming to our Army; And make them, not without Cause, to think that we purpose to dispose of him without their Consent, and to their Prejudice; which is contrary to the Profession of those that were in trust at his Majesty's first coming to the *Scots* Quarters, and overthroweth all the Arguments that have been used by the Commissioners of our Parliament in their Papers concerning *The disposing of his Majesty's Person by the joint Advice and common Consent of both Kingdoms given in to both Houses of Parliament in* England: Nor do we see how we can vindicate such a Practice from a direct Breach of our Engagements to them by Covenant and Treaty; which were not only to expose us into the hazard of a bloody War, but to involve us in the guilt of Perjury. And what greater disservice could be done to his Majesty and his Posterity, than to give way to a Course that might prove prejudicial to their Interest in the Crown and Kingdom of *England*.

Our Carriage now for many Years past, in the midst of many Tentations, hath put us beyond all suspicion in the point of our Loyalty; nor have we the least thoughts of deserting the King's Majesty in a just and good Cause, being bound by our Covenant in our several Vocations to endeavour with our Estates and Lives, to preserve and defend his Person and Authority, in the defence and preservation of the true Religion and Liberties of the Kingdoms: And so far as his Majesty shall be for these, we really are, and we trust the rest of his Kingdoms will be for him: Yet we cannot deny, but openly avouch it, That if his Majesty, (which the Lord forbid) shall not satisfie the just Desires of his People; Both Nations stand mutually obliged by that inviolable Covenant to pursue the Ends therein expressed (which cannot be divided) against all lets and impediments whatsoever. It is therefore our most earnest and longing desire, That as those who are in trust with the Publick Affairs of this Kingdom have heretofore with all Earnestness and Care in all their Addresses dealt with his Majesty, with much strength of Reason and vehemency of Affection, so they would still deal with him, to grant his Royal Consent to the Desires of both Kingdoms, for setling Religion according to the Covenant, and for securing a perfect and durable Peace (which we look upon as the only hopeful Means of preserving himself, his Crown, and Posterity) That his Majesty may return to his Houses of Parliament in *England* as a reconciled Prince to satisfied Subjects; And that Acclamations of Joy may be heard in all his Majesty's Dominions, and no sound of War heard therein any more, except against the bloody Irish Rebels, under whose barbarous and cruel Persecution, our distressed Brethren, both in this Kingdom and in *Ireland*, are still groaning and crying out to us and to our Brethren in *England*, *Be at Peace among your selves, and come to help us.*

After the Reading of this Admonition, the Parliament falling again into debate touching his Majesty, Resolved, that his Majesty should be desired to grant the whole Propositions; and in Case of refusal, the Certifications given to his Majesty should be put in Execution, *viz.* To secure the Kingdom without him; And did declare, That the Kingdom of *Scotland* cannot lawfully engage themselves for his Majesty: He not taking the Covenant, satisfying as to Religion, *&c.* Nor would admit him to come into *Scotland*, unless he gave a satisfactory Answer to the whole Propositions lately presented to him in the Name of both Kingdoms.

Of

Of all which the Earl of *Lanerick* immediately gave his Majesty Advertisement, who dispatch'd away the following Message to the two Houses at *London*, and to the Parliament at *Edinburgh*. 22 Caroli.

His Majesty's last most Gracious Message of Dec. 20. 1646. *to the Lords and Commons of the Parliament of* England *assembled at* Westminster, *and to the Commissioners of the Parliament of* Scotland *at* London, *for a Personal Treaty.*

Charles R.

HIS Majesty's Thoughts being always sincerely bent to the Peace of his Kingdoms, was and will be ever desirous to take all Ways which might the most clearly make appear the Candour of his Intentions to his People. And to this End could find no better Way than to propose a Personal free Debate with his two Houses of Parliament upon all the present Differences. Yet finding very much against his Expectations, that this Offer was laid aside, his Majesty bent all his Thoughts to make his Intentions fully known by a particular Answer to the Propositions delivered to him in the Name of both Kingdoms, 24 *July* last But the more he endeavoured it, he more plainly saw that any Answer he could make would be subject to Mis-informations and Misconstructions, which upon his own Paraphrases and Explanations he is most confident will give good Satisfaction, as would doubtless cause a happy and lasting Peace. Lest therefore that good Intentions may produce ill Effects, His Majesty again proposeth, and desires again to come to *London*, or any of his Houses thereabouts, upon the Publick Faith and Security of his two Houses of Parliament, and the *Scotch* Commissioners, that he shall be there with Honour, Freedom and Safety: Where, by his Personal Presence, he may not only raise a mutual Confidence betwixt him and his People, but also have those Doubts cleared, and those Difficulties explained to him, without which he cannot (but with the aforesaid mischievous Inconveniences) give a particular Answer to the Propositions: And with which he doubts not but so to manifest his real Intentions for the setling of Religion, the just Priviledges of Parliament, with the Freedom and Property of the Subject, that it shall not be in the Power of wicked and malicious Men to hinder the establishing of that firm Peace which all honest Men desire. Assuring them that as he will make no other Demands but such as he believes confidently to be just, and much conducing to the Tranquillity of the People: So he will be most willing to condescend to them in whatsoever shall be really for their Good and Happiness. Not doubting likewise but you will also have a due Regard to maintain the just Power of the Crown, according to your many Protestations and Professions. For certainly except King and People have reciprocal Care each of other, neither can be happy.

To conclude, 'Tis your King who desires to be heard, (the which if refused to a Subject by a King, he would be thought a Tyrant for it) and for that End which all Men profess to desire. Wherefore his Majesty conjures you, as you desire to shew your selves really what you profess, even as you are good Christians and Subjects, that you will accept this his Offer, which he is confident God will so bless, that it will be the readiest Means by which these Kingdoms may again become a Comfort to their Friends, and a Terror to their Enemies.

Newcastle, 20. Decemb. 1646.

To the Speaker of the House of Peers pro tempore, *to be communicated to the Lords and Commons of the Parliament of* England *assembled at* Westminster, *and to the Commissioners of the Parliament of* Scotland *at* London.

The Lords voted, That the King being now in *England* may come to *New-Market*, there to remain with such Attendants about him, as both Houses of Parliament shall appoint; but the Commons Dec. 22.

An. 1646. mons agreed not with the Lords therein. And therefore voted, that *Holmby* House in *Northamptonshire* would be a Place most fit for his Majesty, if he please to come thereunto, and abide with such Attendants as both Houses shall appoint.

The *Scots* Commissioners send Word to the Houses to acquaint them they were speedily to go for *Scotland*, desiring to know what further Service the Houses had to command them to the Parliament of that Kingdom. Upon which both Houses ordered their Thanks to be returned to the said Commissioners.

Dec. 25. The two Houses sat this Day, tho' *Christmas* Day, and the Commons further debated the King's coming to *Holmby*, agreeing with the Lords, that his coming thither should be with Respect to the Safety and Preservation of his Majesty's Person, and in Preservation and Defence of the true Religion. And the Question being put, whether the Words [*according to the Covenant*] should be added, it pass'd with the Affirmative.

Jan. 5. The House of *Commons* resolve to appoint Commissioners of both Houses, to go down to receive the King from the *Scots*, and to bring him to *Holmby*. And the Commissioners named, were for the Lords, the Earl of *Pembroke*, Earl of *Denbigh*, and Lord *Montague*; of the Commons, Sir *William Armyne*, Sir *John Holland*, Sir *Walter Earl*, Sir *John Cook*, Mr. *John Crew*, and Major General *Brown*, but Sir *William Armyne*, desired to be excused on Account of his Health, and Sir *James Harrington* was appointed in his Stead. And they all set forth out of *London*, *Jan.* the 13.

In the mean Time his Majesty perceiving the ill Circumstances in which he was left, made these Queries to the *Scots* Commissioners then attending him.

His Majesty's Query to the Scots *Commissioners upon* Thursday *the* 14. *of January*, 1646.

IT is a received Opinion by many, That Ingagements, Acts, or Promises of a restrained Person, are neither valid nor obligatory; How true or false this is, I will not now dispute; but I am sure, if I be not free, I am not fit to answer your or any Propositions: Wherefore you should first resolve me in what State I stand (as in Relation to Freedom) before I can give you any other Answer, (the Reason of this my Question, the Governor can best resolve you:) But if you object the Loss of Time and Urgency of it, certainly in one Respect it presses none so much as my self, which makes me also think it necessary that I be not to seek what to do when this Garrison shall be surrendred up, to demand of you, in Case I go into *Scotland*, if I shall be there with Honour, Freedom, and Safety, or how? Being ready to give you a farther and more particular Answer, how soon you shall have resolved these two Queries.

The Scots *Commissioners Answer to his Majesty's Queries*, Thursday *the* 14. *of* Jan. 1646.

I. *TO the First, in what State you stand, as in Relation to Freedom, the Parliaments of both your Kingdoms have given such Orders and Directions as they have thought fittest for the Good and Safety of your Majesty and the Kingdoms, to the General and Governor.*

II. *To your Majesty's second Query, of your going into* Scotland, *We shall humbly desire, That we may not now be put to give any Answer; but if your Majesty*

jesty shall either deny or delay your Assent to the Propositions, We are in that Case to represent to your Majesty the Resolutions of the Parliament of England.

His Majesties Answer to the Scots *Commissioners.*

I Know very well, that the General and Governor have received Orders concerning me; but the Question is, into what State those Orders put me in as relating to Freedom) to which you have either Power to answer, or not; if you have, then answer me; otherwise, send to those who can: And so for my second Query.

The full Consent of the Parliament of *Scotland* for delivering up the King, was signified in the following Letter.

A Letter from the Parliament of Scotland *to the Parliament of* England.

Right Honourable,

OUR *Commissioners at* London *and* Newcastle, *having received from the Honourable Houses the Vote of the first of* January, *and communicated the same to us; We have considered of it as a Business of very great Concernment to both Nations, And therefore have resolved upon the inclosed Declaration and Desires: Whereby it will appear how willing we are to comply with the Resolutions of both Houses; And how desirous to remove all Jealousies, for strengthning the Peace and Union, and maintaining a good Understanding between the Kingdoms, so firmly tyed by Solemn League and Covenant; and how confident, that they will satisfie our reasonable Desires, and make the Integrity of their Proceedings and Resolutions in all this Business concerning his Majesty, appear either by Declaration, or otherwise as in their Wisdom they shall think fit; whereby no Occasion of Calumny may be left to the wicked Enemies of either Nation. And as God hath blessed the joynt Endeavours of both, during our Armies abode in that Kingdom; so it will be a great Encouragement for us to hope for the Continuance of the same Blessing in Time coming, that our Resolution be known to be one at our removing, in Relation to all the Ends contained in our mutual League and Covenant; and if any Difficulty occurr there (for gaining of time) we desire, that the Honourable Houses may be pleased to send particular Instructions to their Commissioners at* New-Castle, *with whom we shall authorize ours to concur for the just Satisfaction of both Kingdoms; and we rest,*

Edinburgh *the* 16 *of January* 1647.

Your affectionate Friends,
Crawfurd *and* Lindsay.
J. P. D. Parl.

For the Right Honourable the Lords and Commons assembled in the Parliament of *England* at *Westminister.*

The Declaration of the Kingdom of Scotland.

WHereas it pleased God to joyn the Kingdoms of *Scotland, England* and *Ireland* in Solemn League and Covenant, for Reformation and Defence of Religion, the Honour and Happiness of the King, and their own Peace and Safety: And in Pursuance thereof the *Scotish* Army being in the Kingdom of *England*, the King's Majesty came to their Quarters before *Newark*, and professed he came there with a full and absolute Intention to give all just Satisfaction to the joynt Desires of both Kingdoms, and with no Thought either to continue this unnatural War any longer, or to make Di-

An. 1646.

viſion betwixt the Kingdoms; but to comply with his Parliaments and thoſe entruſted by them, in every Thing for ſetling of Truth and Peace; and that he would apply himſelf totally to the Counſels and Advices of his Parliaments: Which he did not only profeſs verbally to the Committee of Eſtates with the *Scotiſh* Army; but alſo in his ſeveral Letters and Declarations under his Hand, to the Committee of Eſtates of *Scotland*, and unto the two Houſes of the Parliament of *England* reſpectively. In Confidence whereof, and of the Reality of his Intentions, and Reſolutions, which he declared did proceed from no other Ground, than the deep Senſe of the bleeding Condition of his Kingdoms; The Committees of the Kingdom of *Scotland* and General Officers of the *Scotiſh* Army declared to himſelf, and to the Kingdom of *England*, their receiving of his Royal Perſon to be on theſe Terms, (which is Truth, notwithſtanding what may be ſuggeſted or alledged to the contrary, by any within or without the Kingdoms;) and repreſented to him, that the only Way of his own Happineſs, and Peace of his Kingdoms, under God, was, to make good his Proteſſions ſo ſolemnly renewed to both Kingdoms. Thereafter, not only were Propoſitions of Peace (which after ſerious and mature Deliberation were agreed upon) tendered to him in the Name of both Kingdoms for his Royal Aſſent thereunto; but alſo the chief Judicatories of this Kingdom, both Civil and Eccleſiaſtick, made their humble and earneſt Addreſſes to his Majeſty by Supplications, Letters, and Commiſſioners for that End; and did freely repreſent all the Prejudices and Inconveniences of the Delay or Refuſal of his Aſſent, and in Particular, that this Kingdom would be neceſſitated to joyn with the Kingdom of *England* conform to the League and Covenant, in providing for the preſent and future Security of both Kingdoms, and ſetling the Government of both, as might beſt conduce to the Good of both. And the Parliament of *Scotland* being now to retire their Army out of *England*, have again, for their further Exoneration, ſent Commiſſioners to repreſent their renewed Deſires to his Majeſty, with the Danger may enſue by his Delay or Refuſal to grant the ſame; and that till then, there was Danger to the Cauſe, to his Majeſty, to this Kingdom, and to the Union betwixt the Kingdoms, by his coming to *Scotland*; and that therefore there would be a joynt Courſe taken by both Kingdoms concerning the Diſpoſal of his Perſon. And conſidering that his Majeſty by his Anſwer to the Propoſitions of Peace in *Auguſt* laſt, and alſo by his late Meſſage ſent to the two Houſes, and, by his Warrant communicated to the Eſtates of this Kingdom, hath expreſſed his Deſires to be near to his two Houſes of Parliament: And ſeeing alſo the Parliament of *England* have communicated to the *Scotiſh* Commiſſioners at *Newcaſtle*, and by them to this Kingdom their Reſolution, That *Holmby-Houſe* in the County of *Northampton* is the Place which the Houſes think fit for the King to come unto, there to remain with ſuch Attendants about him as both Houſes of Parliament ſhall appoint, with Reſpect had to the Safety and Preſervation of his Royal Perſon, in the Preſervation and Defence of the true Religion and Liberties of the Kingdoms according to the Covenant. Therefore, and in Regard of his Majeſty's not giving a ſatisfactory Anſwer to the Propoſitions as yet, and out of their earneſt Deſire to keep a right Underſtanding betwixt the Kingdoms, to prevent new Troubles within the ſame, to ſatisfie the Deſire of his Majeſty, of the two Houſes of the Parliament of *England*, and of this Kingdom, for his Reſidence in ſome of his Houſes near the Parliament of *England*: The Eſtates of the Parliament of the Kingdom of *Scotland*, to declare their Concurrence, for the King's Majeſty's going to *Holmby-Houſe*, or ſome other of his Houſes in or about *London*, as ſhall be thought fit, there to remain until he give Satisfaction to both Kingdoms in the Propoſitions of Peace; And that in the Interim there be no Harm, Prejudice, Injury, nor Violence done to his Royal Perſon: That there be no Change of Government other than hath been theſe three Years paſt: And that his Poſterity in no Ways be prejudiced in their lawful Succeſſion to the Crown and Government of theſe Kingdoms.

Scots *Concurrence about the diſpoſal of the King.*

And as this is the clear Intention and full Reſolution of the Kingdom of *Scotland* according to their Intereſt and Duty in Relation to the King's Majeſty; So they are confident (from the ſame Grounds and manifold Declarations of the Parliament of *England*) that the ſame is the Reſolution of their Brethren: And at ſuch a Time they expect a renewed Declaration thereof, and

and that they will give brotherly and just Satisfaction to the Desires herewith sent. Like as the Kingdom of *Scotland* do hereby assure their Brethren of *England*, that it shall be their constant Endeavour to keep, continue, and strengthen the Union and Peace betwixt the Kingdoms according to the Covenant and Treaties. Extracted from the Records of Parliament, subscribed by the Earl of *Crawford*, and *Lindsay* High Treasurer of *Scotland*, and President to the Parliament, Witnessing thereunto the Subscription and Sign Manual of me Sir *Alexander Gibson* of *Dury* Knight, Clark of our Sovereign's Rolls, Register, and Counsel. 22 *Caroli.*

January 16. 1647. *Alexander Gibson*, *Clericus Registri.*

Desires of the Kingdom of Scotland.

1. THAT a Committee of both Kingdoms be appointed to attend his Majesty, and press him further for granting the Propositions of Peace; And in Case of his Refusal, to advise and determine what is further necessary for continuing and strengthening the Union between the Kingdoms, according to the Covenant and Treaties: And that no Peace nor Agreement be made by either Kingdom with the King, without the other, according to the late Treaty betwixt the Kingdoms.

2. Next it is desired, that such of the *Scotish* Nation, as have Place or Charge about the King (excepting such as stand excepted in the Propositions of Peace) may attend and exercise the same; and that none shall be debarred from having Access to attend his Majesty, who have Warrant from the Parliaments of either Kingdom respectively, or from the Committee of either Parliament thereunto authorized.

3. It is desired, that the one Kingdom assist the other, in Case they be troubled from within, or from without for this Agreement.

4. That the Kingdom of *England* would speedily condescend, and agree upon some Competency of Entertainment for the Forces which we are necessitated to keep up, to suppress the *Irish* Rebels, whom by the large Treaty they are bound to suppress.

Edinburgh the 16. *of* January, 1647. *Crawford* and *Lindsay*, *T. P. D. Parl.*

A Copy of the Parliament of England's *Letter to the Parliament of* Scotland.

A Letter from your Lordships dated at *Edinburgh* the 16. Instant, and the Papers therewith sent, having been communicated to both Houses of the Parliament of *England*, we are commanded to return this Answer. They do answer their Brethren of *Scotland*, that nothing needs to be said unto them, for removing any Jealousies out of their Hearts, or for strengthning that Confidence which they have in the Affections of that Nation: And they do presume that the Proceedings of the Houses of the Parliament of *England*, from the very Beginning of these Troubles, are a sufficient Declaration of their Integrity, and of their constant Affection to their Brethren of *Scotland*. And as to the Desires of the Kingdom of *Scotland* they do return these Answers.

To the first, That when the King shall be at *Holmby*, and the *Scotish* Forces gone out of this Kingdom, both Houses of Parliament (saving according to their former Declarations the peculiar Rights of the Kingdom of *England*) will then appoint a Committee of theirs, to joyn with a Committee of the Kingdom of *Scotland*, to employ their best Endeavours to procure his Majesty's Assent to the Propositions agreed on by both Kingdoms, and presented to his Majesty at *Newcastle*, and to the disposing of the Bishops Lands, according to the Ordinances already passed both Houses in that Behalf. And in Case the King shall not give his Assent thereunto, however the

An. 1646. the Houses are still resolved, firmly to continue and maintain the happy Union between the two Kingdoms, according to the Treaties and Covenant; And that according to the late Treaty between the Kingdoms, no Cessation, nor any Pacification, or Agreement for Peace whatsoever, shall be made by either Kingdom, or the Armies of either Kingdom, without the mutual Advice and Consent of both Kingdoms.

To the second Desire, both Houses do declare, that it is not their Intention, by their appointing of Persons to wait upon the King in his Journey to *Holmby*, to make a Settlement of any Persons in any particular Places, nor to be any Prejudice to any of the King's Servants that are of either Nation, who have adhered to the Parliaments: And that none shall be debarred from having Access to his Majesty, who have Warrant from the Parliament of *Scotland*, or from the Committee of that Parliament thereunto authorized, except such as are disabled by the Propositions agreed on by both Kingdoms.

To the third Desire, the coming of the King according to the Votes of both Houses of the Parliament of *England*, being agreeable to the Covenant and Treaties; They do declare, that upon any Troubles that shall arise to the Kingdom of *Scotland* for the same, they will assist them according to the said Covenant and Treaties.

To the fourth and last Desire, both Houses return Answer, That their Garrisons being delivered up, and the *Scotish* Army and Forces being marched out of this Kingdom, they will take this their Desire into speedy Consideration. This being all we have in Command from the Houses, we rest,

Westminster, *Jan.* 27. 1646.

Your affectionate Friends and Servants:

E. *Manchester*, Speaker of the House of Peers *pro tempore.*
William Lenthal, Speaker of the House of Commons.

For the Right Honourable the Lords, the Commons of Shires and Boroughs Assembled in the Parliament of *Scotland*.

The Commissioners that were to receive his Majesty came to *Newcastle*, *Jan.* 23. To whom his Majesty gave the Honour of kissing his Hand, and the Earl of *Pembroke* told his Majesty they were commanded by both Houses of Parliament to attend him to *Holmby*; at which his Majesty did not seem at all surprized, but enquired how the Ways were, *&c.*

On the 28*th* of *Jan.* the *Scotch* Lords being all with his Majesty; He told them he had often desired to go into *Scotland*, that he came into their Army for Protection, and had it, but now perceived they were not willing he should go to *Edinburgh*. And they being to deliver up the Garrisons, he desired to know how they would dispose of him, and for that End desired them to withdraw, and consider to whom they would deliver him; which they did, and coming in again, They told his Majesty that they had considered of his Speech, and that since his Majesty had refused to take the Covenant and Sign the Propositions, they were to deliver him to the Commissioners of both Houses of the Parliament of *England*, who were come to attend him to *Holmby*.

On *Saturday Jan.* the 30*th* the *Scots* march'd out of *Newcastle*, and *Skippon* took Possession of it, and the Parliaments Commissioners received the King into their Charge, and soon after set forwards with him to *Durham*, and so on to *Holmby*, being met by the Way by Sir *Tho. Fairfax*, who kissed his Majesty's Hand, and having conducted his Majesty through *Nottingham*, took his leave very respectfully, and so his Majesty was brought to *Holmby*, where he arrived on *Tuesday Feb.* 16. 164$\frac{6}{7}$.

CHAP.

CHAP. XII.

The State of Affairs in Ireland *during the Year* 1646.

THO' the two Houses had nominated the Lord *Lisle* to be Lord Lieutenant General of *Ireland*, in the latter End of the Year 1645, and afterwards ordered that he should carry with him forty thousand Pounds for the Service of that Kingdom, yet he met with such Delays in raising the same, and other Disappointments in Things requisite to his Journey, that it was near the End of this Year 1646. before he could arrive in *Ireland*; for he landed at *Cork* on the 20*th* of *Feb.* 164$\frac{6}{7}$. and his Commission expired the 15*th* of *April* following.

In the mean Time one of the first most remarkable Occurrences in *Ireland*, was that grand Defeat received by the *Scots* under Major General *Monroe*, from *Owen Roe Oneil* and the *Irish* at *Benburgh*, and the Black Water near *Charlemont*, in the County of *Ardmagh*; touching which the said *Monroe* expressed himself in a Letter to the *Scots* Commissioners at *London*, as followeth.

Monro's *Letter of his Defeat at* Benburgh, June 5. 1646.

Right Honourable,

IT being my Duty to represent unto your Honours the Condition of Affairs here touching our Army, and those of the British Army, who were engaged with us in the Service, being extraordinarily scarce of Provisions, and hearing from all Parts that the *Irish* had no considerable Army on Foot, for Preservation of our Quarters, it was resolved by joynt Advice to make to the Fields with a Months Provision, for to purchase Victuals or Cattle from the Enemy; So that we entred our March the second of *June*, being effective under Arms 3400 Foot, and eleven Troops of Horse, with six Fielding Pieces, and Colonel *Monro* was to joyn with us at *Glasshloch* with three Troops of Horse, and 240 Musquetiers, *Auchinbreck* being left at Home for Defence of the Quarters; the Marquis Regiment being landed from *Scotland* two Days before, could not be gotten in Readiness to joyn with us. It was also condescended on by the English Commissioners and me, that the *Laggan* Forces should march unto *Connaght* immediately, to keep the Enemy busied there, who were ordained to keep Correspondency with us on all Occasions; having parted with our Commissioners the second Night of our March near *Drummore*. The fourth in the Morning, I commanded forth a Party of Horse, being 72 commanded Horse-men led by the Lieutenant of my Troop, *Daniel Monro*, who had Direction to cross the Black-water at *Benburgh* to scoure the Fields, and to certifie Colonel *Monro* of my Rendezvous place at *Glasshloch June* the 5. where by the Way at *Armagh* the Party unexpectedly foregathered with the Enemies fore Troop, and took a Prisoner of theirs, who gave Intelligence that the Enemies Army were marching that Morning from *Glasshloch* to Quarter at *Benburgh* and *Charlemont*, which intercepted my Party from going to Colonel *Monro*; the Prisoner being sent to meet me, after Examination certified us the Enemies Army were effective above 5000 Foot, and twelve Troops of Horse, provided with a Fortnights Victuals. Being thus informed, I presently broke up our Night Leaguer, and marched six Miles further to *Hamiltons* Band four Miles from *Armagh*, and sent for our Party to retire upon the Army, being impossible for them to get through to Colonel *Monro*. Friday the fifth by four of the Clock in the Morning I marched to *Armagh* in View of the Enemy, thinking the nearer our Army was to theirs, to hinder them from sending any Strength to fall upon Colonel *Monro*, his Way lying di-

An. 1646. rectly towards the Enemies Quarters. And having viewed the Enemies Army in a Posture to defend the Passage at *Benburgh*, which being hard for us to force by Reason of the Straitness of the Pass, the Enemy being Master of the Bridge and of the Ford, very advantagious for him; presently I conveened the Officers of the Army, to consult what was best for us to undertake, where by joint Advice it was resolved to march with the Army in the Enemies View to *Kinnard*, to cross the Water there, and so to draw the Enemy from his Advantage, and from Colonel *Monro*, his Party being but weak, which being effectuated we were betwixt the Enemy and his Victuals, having gained the Pass at *Kinnard* without Dispute, and had the Enemy betwixt us and our Party, and our Baggage secured in our Rear; all our Army both Foot and Horse did earnestly covet fighting which was impossible for me to gainstand, without being reproached of Cowardise; And therefore having provided our selves for Battel; and that orderly, with Resolution we advanced towards the Enemy about six a Clock at Night, and beat in their commanded Men and fore Troops to their Army, where they stood ready in Battel to receive us. Lieutenant Colonel *Cuningham* with 500 commanded Men cleared the Passage for our Horsemen to advance, who were commanded then in Absence of Colonel *Moure*, by the Lord Viscount of *Ardes*; The Army followed up after the Fielding Pieces, and drew up in Battel forth against the Enemy, who had possessed themselves with the advantagious Ground, where their Foot were covered with Scrogs and Bushes; the Service begun hot on both Sides, continued from six a Clock at Night till after Sun-set. The Enemy could not get charged on our left or right Wing, having the Blackwater on the Right-Hand, and a marrish Bog on the left Wing, and we being drawn up in the Plain, having our Pieces before us and our Horsemen behind our Reserve, and it being impossible for the Enemy to charge us but in our Van, our Horsemen could receive them marching up, and charging through the Intervals, betwixt the Brigades of Foot. About Sun-set I perceived the Enemy making ready for a general Assault, first with his Foot, and his Horse coming up behind his Foot to second them, I had given Order to a Squadron of our Horse to break through them before they should advance to our Foot; that Squadron of Horse consisting for the most Part of *Irish Riders*, although under the *English* Command, did not charge, but retreated disorderly through our Foot, making the Enemies Horse for to follow them, at least one Squadron; notwithstanding thereof our Foot stood to it, and received the Enemies Battalions Body to Body with push of Pike, till at last our second Squadron of Horse charged the Enemies Horse, and fell pell-mell amongst our Foot, who being carried in Disorder, had no Way of Retreat but to wade the Black-water where it was scarce fordable, and by that Means and the Darkness of the Night many of our Foot escaped, with the Loss of some few Officers, six Field-Pieces, and some Colours, so that by all Appearance the *Irish* under the *Lesnegarvey* Horsemen had a Purpose to betray the Army by their running away, leaving the Foot to be cut down, who were also deserted by the Rest of the Horse after retiring from their last Charge; the Enemy falling on our Baggage, the Baggage Horses being all gone, the Enemy loved the Spoil better than to prosecute the Victory. So that we lost of the Foot at the nearest Conjecture five or six hundred, and twenty Officers were taken Prisoners, the Lord of *Ardes* being one; we lost also many Arms, by Reason the Soldiers had above 50 Miles to retire. And notwithstanding of all our Losses, the Enemy as yet (praised be God) hath not attempted to prosecute his Victory within our Quarters, and Col. *Monro* with his Party miraculously retreated Home from the Enemy, who viewed them, without the Loss of a Man. And now we are making up our Forces again, having not lost of our Horsemen above thirty, and one Cornet who was killed; we are both scarce of Arms and Victuals, and for ought I can understand, the Lord of Hosts had a Controversy with us to rub Shame on our Faces, as on other Armies, till once we shall be humbled; for a greater Confidence did I never see in any Army than was amongst us, and we behooved to taste of Bitterness as well as others of both Nations; but praised be God, being now humbled before God, we increase in Courage and Resolution; so according to your Interest in us and in the poor Inhabitants in this Province, use some speedy Means to supply us. Thus recommending your Lord-

Lordships and all your weighty Affairs to the Protection of the Almighty, I humbly take my leave. 22 *Caroli.*

Carick-fergus the 11 th *of* June. ROBERT MONRO.

About the same time a Party of our Country Men in *Connaght* incountred with a commanded Party of *Preston's* Army, where the Enemy lost five hundred Men, besides twenty Officers that were taken Prisoners, whereof General Major *Taaff* was the special, with whom and such others as I have Prisoners of theirs, we intend to relieve the Lord *Ardes* and other of our Friends.

But other Relations make *Monro*'s loss much greater, *viz.* near 5000 kill'd and taken, and as many Arms lost; the Lord *Montgomery*, *alias* Viscount of *Ardes* taken, his Lieutenant of Horse mortally wounded, many Officers kill'd, *&c.* And it was generally concluded, that if the *Irish* Rebels had had the Courage or Policy to have prosecuted this great Victory, they might have destroyed all the *Scotch* Quarters, and bid fair for the Town they then possessed; but instead thereof *Owen Roe* marched with the Prisoners and Colours in Triumph to *Kilkenny*, and thereby gave the *Brittish* Forces a breathing-time to recruit.

And now the Peace between his Majesty's Lieutenant the Marquiss of *Ormond*, and the Commissioners of the Confederate Roman Catholicks, was after a tedious Treaty concluded, upon the following Articles, and proclaimed thus.

By the Lord Lieutenant and Council.

ORMOND.

Proclamation of Peace with the Irish, *July,* 30.

Whereas Articles of Peace are made, concluded, accorded and agreed upon, by and between Us, James *Lord Marquess of* Ormond, *Lord Lieutenant General, and General, Governor of his Majesty's Kingdom of* Ireland, *his Majesty's Commissioners to Treat and Conclude a Peace with his Majesty's Roman Catholick Subjects of the said Kingdom, by Virtue of his Majesty's Commission under the great Seal of* England, *bearing Date at* Bukingham *on the* 24. *Day of* June, *in the Twentieth Year of his Reign, for, and on the behalf of His most Excellent Majesty of the one part, and* Donogh *Lord Viscount* Muskery *and others, appointed and authorized by his Majesty's said Roman Catholick Subjects, by virtue of an Authority of the said Roman Catholick Subjects, bearing Date the sixth Day of* March 1645. *and in the* 21. *Year of his Majesty's Reign, of the other part, a true Copy of which Articles of Peace is hereunto annexed, We the Lord Lieutenant and Council do by this Proclamation in his Majesty's Name publish the same, And do, in his Majesty's Name, strictly Charge and Command all his Majesty's Subjects, and all others inhabiting or residing within his Majesty's said Kingdom of* Ireland, *to take Notice thereof, and to render due Obedience to the same in all the Parts thereof.*

And as his Majesty hath been induced to this Peace out of a deep Sense of the Miseries and Calamities brought upon this his Kingdom and People, and out of a Hope conceived by his Majesty that it may prevent the further Effusion of his Subjects Blood, redeem them out of all the Miseries and Calamities under which they now suffer, restore them to all Quietness and Happiness under his Majesty's most gracious Government, deliver the Kingdom in general from those Slaughters, Depredations, Rapines and Spoils which always accompany a War, encourage the Subjects and others with Comfort to betake themselves to Trade, Traffick, Commerce, Manufacture, and all other things which uninterrupted may increase the Wealth and Strength of the Kingdom, beget in all his Majesty's Subjects of this Kingdom, a perfect Unity amongst themselves, after the too-long continued Division amongst them: So his Majesty assures himself that all his Subjects of this his Kingdom (duly considering the great and inestimable Benefits which they may find in this Peace) will with all Duty render due Obedience thereunto. And we, in his Majesty's

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jesty's Name do hereby Declare, That all Persons so rendring due Obedience to the said Peace, shall be protected, cherished, countenanced and supported by his Majesty and his Royal Authority, according to the true intent and meaning of the said Articles of Peace.

Given at His Majesty's Castle of *Dublin*, the thirtieth Day of *July*, 1646.

Ri. Bolton, Canc.	*La. Dublin.*
Roscomon. Dillon.	*Geo. Cloyne.*
Cha. Lambart.	*Arthur Chichester.*
Gerrard Lowther.	*Hen. Tichborn.*
Fr. Willoughby.	*Tho. Lucas.*
Robert Forth.	*Ja. Ware.*

God save the King.

The Articles of the Peace with the Irish *1646.*

Articles of Peace made, concluded, accorded, and agreed upon, by and between his Excellency James *Lord Marquess of* Ormond, *Lord Lieutenant General, and General Governour of his Majesty's Kingdom of* Ireland, *his Majesty's Commissioner to Treat and Conclude a Peace with his Majesty's Roman Catholick Subjects, of the said Kingdom, by Virtue of his Majesty's Commission under the Great Seal of* England, *bearing Date at* Buckingham, *the* 24. *Day of* June, *in the twentieth Year of his Reign, for and on the behalf of his most Excellent Majesty, of the one Party; And* Richard *Lord Viscount* Mountgarret, Donogh *Lord Viscount* Muskery, *Sir* Robert Talbot *Baronet,* Dermot O Bryen, Patrick Darcy, Geffery Brown, *and* John Dillon, *Esquires, appointed and authorized by his Majesty's said Roman Catholick Subjects, by virtue of an Authority of the said Roman Catholick Subjects, bearing Date the sixth Day of* March, Anno Domini, *One thousand six hundred forty five, and in the twenty one Year of his Majesty's Reign, authorizing them and others, or any four or more of them, to Treat and Conclude a Peace in the said Kingdom of* Ireland, *with his Majesty's said Commissioner, for and in the behalf of his Majesty's said Roman Catholick Subjects on the other Party.*

I*Mprimis*, It is concluded, accorded and agreed upon, by his Majesty's said Commissioner, for and on the behalf of his most Excellent Majesty, and the said *Richard* Lord Viscount *Mountgarret*, *Donogh* Lord Viscount *Muskery*, Sir *Robert Talbot* Baronet, *Dermot O Bryen*, *Patrick Darcy*, *Geffery Brown*, and *John Dillon*, Esquires, on the behalf of the said Roman Catholick Subjects; And his Majesty is graciously pleased, that it shall be provided by Act of Parliament to be passed in the next Parliament to be held in this Kingdom, That the Professors of the Roman Catholick Religion in the said Kingdom, or any of them, be not bound or obliged to take this Oath expressed in the Statute of *Secundo Eliz.* commonly called *the Oath of Supremacy*, And that the said Oath shall not be tendred unto them, and that the refusal of the said Oath shall not redound to the prejudice of them, or any of them, they taking the Oath of Allegiance, *In hæc verba. I* A. B. *do truly acknowledge, confess, testifie, and declare in my Conscience before God and the World, That our Soveraign Lord King* CHARLES *is Lawful and Rightful King of this Realm, and of other his Majesty's Dominions and Countries; and I will bear Faith and true Allegiance to his Majesty, and his Heirs and Successors, and him and them will defend to the uttermost of my Power against all Conspiracies and Attempts whatsoever, which shall be made against his or their Crown or Dignity, and do my best endeavour to disclose and make known unto his*

Majesty, his Heirs and Successors, or to the Lord Deputy or other Governour for the time being, all Treasons or Trayterous Conspiracies, which I shall know or hear to be intended against his Majesty or any of them; and I do make this Recognition and Acknowledgment heartily, willingly, and truly, upon the true Faith of a Christian. So help me God. &c. So as by the same Act it be further Provided and Enacted, that if any Roman Catholick happen to be promoted, presented or advanced to any Ecclesiastical Promotion, Dignity or Benefice according to the Form now used in the Protestant Church of *Ireland*, That the Freedom and Exemption aforesaid shall not extend to any such Roman Catholick; Or if any being Protestant, be advanced, promoted or presented to any Ecclesiastical Benefice, Dignity or Promotion, shall afterwards happen to become a Roman Catholick, that the Freedom and Exemption aforesaid shall not so far extend to any such Roman Catholick, but that upon tender of the said Oath, and refusal thereof, he be for that Cause left subject to privation of the said Benefice, Dignity or Promotion, according to the said Statute; And it is further concluded, accorded and agreed, by and between the said Parties, that for all Matters concerning the first Proposition of the said Catholicks, *viz.* That all Acts made against the Professors of the Roman Catholick Faith, whereby any Restraint, Penalty, Mulct, or Incapacity, may be laid upon any Roman Catholick within the Kingdom of *Ireland*, may be repealed, and the said Catholicks to be allowed the Freedom of the Roman Catholick Religion. That his Majesty's said Roman Catholick Subjects be referred to his Majesty's gracious Favour and further Concessions: And that no Clause in these Articles shall or may hinder his Majesty's said Roman Catholick Subjects, or any of them from the Benefit of his Majesty's further Graces and Concessions; And that no use shall be made of the Papers past on this Treaty, or any of them, concerning the said first Proposition, which may in any sort hinder the said Roman Catholick Subjects, or any of them, from his Majesty's further Concessions And that his Majesty's said Commissioner and other chief Governour or Governours of this Kingdom for the time being, shall cause whatsoever shall be further directed by his Majesty to be passed in Parliament, for and on the behalf of his said Roman Catholick Subjects, to be accordingly drawn into Bills, and transmitted according to the usual manner, to be afterwards passed as Acts in the said Parliament.

2. *Item*, It is further concluded, accorded and agreed upon, by and between the said Parties, and his Majesty is graciously pleased to call a new Parliament to be held in this Kingdom, on or before the last Day of *November* next ensuing, and that all Matters agreed on by these Articles to be passed in Parliament, shall be transmitted into *England*, according to the usual Form, to be passed in the said Parliament, and that the said Acts so to be agreed upon, and so to be passed, shall receive no Alteration or Diminution here or in *England*: Provided, that nothing shall be concluded by both or either of the said Houses of Parliament, which may bring prejudice to any of his Majesty's Protestant Party, or their Adherents, or to any of his Majesty's Roman Catholick Subjects Party or their Adherents, other than such things as upon this Treaty shall be concluded to be done, or such things as may be proper for the Committee of Priviledges of either or both Houses, to take Cognizance of, as in such Cases heretofore hath been accustomed, and such other things as shall be propounded to either or both Houses by the Lord Lieutenant, or other chief Governour, or Governour for the time being, during the said Parliament, for the Advancement of his Majesty's Service, and the Peace of the Kingdom, which Clause is to admit no Construction, which may trench upon these Articles or any of them.

3. *Item*, It is further concluded, accorded and agreed upon, by and between the said Parties, And His Majesty is further graciously pleased, that all Acts, Ordinances, and Orders made by both or either Houses of Parliament, to the Blemish, Dishonour, or Prejudice of his Majesties Roman Catholick Subjects of this Kingdom, or any of them, sithence the 7. of *August*, 1641. shall be vacated, and that the same, and all Exemplifications, and other Acts, which may continue the memory of them, be made void by Act of Parliament.

4. *Item*, It is further concluded, accorded and agreed upon, by and between the said Parties, And His Majesty is further graciously pleased, that all

An. 1646. all Indictments, Attainders, Outlawries in this Kingdom, and all the Processes and other Proceedings thereupon, and all Letters Patents, Grants, Leases, Custodiams, Bonds, Recognizances, and all Records, Act or Acts, Office or Offices, Inquisitions, and all other things depending upon, or taken by reason of the said Indictments, Attainders or Outlawries, sithence the 7. of *August*, 1641. in Prejudice of the said Catholicks, their Heirs, Executors, Administrators and Assigns, or any of them, or the Widows of them or any of them, shall be vacated and made void in such sort, as no memory shall remain thereof to the Blemish, Dishonour, or Prejudice of the said Catholicks, their Heirs, Executors, Administrators or Assigns, or any of them, or the Widows of them or any of them, and that to be done immediately after concluding of these Articles, and at furthest before the first day of *October* next; Or in Case the said new Parliament be called sooner than the said last day of *November*, then forty days before the said Parliament. And that all Impediments which may hinder the said Roman Catholicks to sit or vote in the next intended Parliament, or to choose or to be chosen Knights and Burgesses to sit or vote there, shall be removed before the said Parliament. Provided, that no Man shall be questioned by reason of this Article for Mesne-rates or Wastes, saving wilful Wastes committed after the first of *November*, 1645.

5. *Item*, It is further concluded, accorded and agreed upon, by and between the said Parties, And his Majesty is further graciously pleased, that all Debts do stand in state as they were in the Beginning of those Troubles and that no Grant or Disposition made, or to be made thereof, by Virtue or Colour of any Attainder, Outlawry, Fugacy or other Forfeiture whatsoever, or otherwise, shall be of Force, and this to be passed as an Act in the said next Parliament.

6. *Item*, It is concluded, accorded and agreed, by and between the said Parties, and his Majesty is graciously pleased, that for the securing of the Estates or reputed Estates, of the Lords, Knights, Gentlemen and Freeholders, or reputed Freeholders, as well of *Connaught*, and County of *Clare*, or Country of *Thomond*, as of the County of *Limerick* and *Tipperary*, the same to be secured by Act of Parliament, according to the Intent of the 25 Article of the Graces, granted in the fourth Year of his Majesty's Reign, the Tenor whereof for so much as concerneth the said Proposition, doth ensue in these Words, viz. *We are graciously pleased, that for the securing of the Inhabitants of* Connaught, *and Country of* Thomond, *and County of* Clare, *that their several Estates shall be confirmed unto them and their Heirs, against Us, and our Heirs and Successors, by Act to be passed in the next Parliament to be holden in* Ireland, *to the End the same may never hereafter be brought into any further Question by Us, Our Heirs and Successors; In which Act of Parliament so to be passed, you are to take Care, that all Tenures* in Capite, *and all Rents and Services, as are now due, or which ought to be answered unto Us, out of the said Lands and Premises by any Letters Patents past thereof since the first Year of King* Henry *the Eighth, or found by any Office taken from the said first Year of King* Henry *the Eighth, until the* 21. *of* July, 1615 *Whereby our late dear Father, or any His Predecessors actually received any Profit, by Wardship, Liveries primer Seisins, Mesne-rates, Ouster le mains, or Fines of Alienations without Licence, be again reserved unto Us, Our Heirs and Successors; and all the rest of the Premises to be holden of our Castle of* Athloane, *by Knights Service, according to Our said late Father's Letters, notwithstanding any Tenures* in Capite *found for Us by Office since the* 21. *of* July, 1615. *And not appearing in any such Letters Patents, or Offices*; within which Rule it is his Majesty's Pleasure, and it is so concluded and agreed, that the said Lands in the Counties of *Limerick* and *Tipperary*, be included, but to be held by such Rents and Tenures only as they were in the fourth Year of his Majesty's Reign: Provided always, and it is the Intention of the said Parties to these Presents, that the said Lords, Knights, Gentlemen and Freeholders, or reputed Freeholders, of the said Province of *Connaught*, County of *Clare*, and Country of *Thomond*, and Counties of *Tipperary* and *Limerick*, shall have and enjoy the full Benefit of such Composition and Agreement, which shall be made with his most Excellent Majesty for the Court of Wards, Tenures, Respites and Issues of Homage, any Clause in this Article contained to the contrary notwithstanding: And as for Lands within the Counties of *Kilkenny*

kenny, and *Wickloe*, unto which his Majesty was intituled by Offices taken or found in the time of the Earl of *Strafford's* Government in this Kingdom; his Majesty is graciously pleased, that the State thereof, shall be considered in the next intended Parliament, wherein his Majesty will assent unto that which shall be just and honourable; And it is further concluded and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that the like Act of Limitation of his Majesty's Titles for the Security of the Estates of his Subjects of this Kingdom, be passed in the said Parliament, as was Enacted in the 21. Year of his late Majesty King *James* his Reign in *England*. 22 *Caroli.*

7. *Item*, It is further concluded, accorded and agreed upon, by and between the said Parties, And his Majesty is further graciously pleased, that all Incapacities, imposed upon the Natives of this Kingdom, or any of them as Natives, by any Act of Parliament, Provisoes in Patents, or otherwise, be taken away by Act to be passed in the said Parliament; And that they may be enabled to erect one or more Inns of Courts, in or near the City of *Dublin*, and that such Students, Natives of this Kingdom, as shall be therein, may take and receive the usual Degrees accustomed in any Inns of Court, they taking the ensuing Oath, *viz. I A B do truly acknowledge, profess and declare in my Conscience, before God and the World, that our Sovereign Lord King* Charles *is Lawful and Rightful King of this Realm, and of other his Majesty's Dominions and Countries, and I will bear Faith and true Allegiance to his Majesty, and his Heirs and Successors, and him and them will defend to the uttermost of my Power, against all Conspiracies and Attempts whatsoever, which shall be made against his or their Crown and Dignity; and do my best endeavour to disclose and make known to his Majesty, his Heirs and Successors, or to the Lord Deputy or Governors for the time being all Treasons or Traiterous Conspiracies which I shall know, or hear to be intended against his Majesty or any of them; and I do make this Recognition and Acknowledgment heartily, and willingly, and truly upon the true Faith of a Christian: So help me* GOD. And that they may erect one or more Universities, to be governed by such Rules and Orders as his Majesty shall appoint: And it is further concluded and agreed, by and between the said Parties, and his Majesty is graciously pleased, that the said Roman Catholick Subjects may erect and keep free-Schools for Education of Youth in this Kingdom, any Law or Statute to the contrary notwithstanding; all the Matters of this Article to be passed as Acts of Parliament in the said next Parliament.

8. *Item*, It is further concluded, accorded and agreed upon, by and between the said Parties, and his Majesty is graciously pleased, That Places of Command, Honour, Profit, and Trust in his Majesty's Armies in this Kingdom, shall be upon Perfection of these Articles actually, and by particular Instances conferred upon his Roman Catholick Subjects of this Kingdom; And that upon the Distribution, conferring and dispesal of the Places of Command, Honour, Profit and Trust in his Majesty's Armies in this Kingdom, for the future no difference shall be made between the said Roman Catholicks, and other his Majesty's Subjects, but that such Distribution shall be made with equal indifferency according to their respective Merits and Abilities; And that all his Majesty's Subjects of this Kingdom, as well Roman Catholicks as others, shall for his Majesty's Service and their own Security, arm themselves the best they may, wherein they shall have all fitting Encouragement; and that Places of Command, Honour, Profit and Trust in Civil Government in this Kingdom, shall be, upon passing of the Bills, in these Articles mentioned, in the next Parliament, actually and by particular instances conferred upon his Majesty's Roman Catholick Subjects of this Kingdom; And that in the Distribution, conferring and disposal of the Places of Command, Honour, Profit and Trust, in the Civil Government for the future, no difference shall be made between the said Roman Catholicks and others his Majesty's Subjects, but that such Distribution shall be made with equal indifferency, according to their respective Merits, and Abilities, and that in the Distribution of Ministerial Offices, or Places which now are or hereafter shall be void in this Kingdom, equality shall be used to the Roman Catholick Natives of this Kingdom, as to other his Majesty's Subjects; That the Command of Forts, Castles, Garrisons, Towns, and other Places of importance in this Kingdom, shall be confered upon his Majesty's Roman Catholick Subjects

An. 1646. jects of this Kingdom upon perfection of these Articles, actually and by particular Instances, and that in the Distribution, conferring and disposal of the Forts, Castles, Garrisons, Towns and other Places of Importance in this Kingdom, no difference shall be made between his Majesty's Roman Catholick Subjects of this Kingdom, and other his Majesty's Subjects, but that such distribution shall be made with equal indifferency, according to their respective Merits and Abilities.

9. *Item.* It is further concluded, accorded and agreed upon, by and between the said Parties, and his Majesty is further graciously pleased, That his Majesty will accept of the yearly Rent or annual Sum of Twelve Thousand Pounds Sterling, to be applotted with indifferency and equality, and consented to be paid to his Majesty his Heirs and Successors in Parliament, for and in lieu of the Court of Wards in this Kingdom, *Tenures in Capite, common Knights-service*, and all other Tenures within the Cognizance of that Court, and for and in lieu of all Wardships, primer Seisins, Fines, Ousterlemains, Liveries, Intrusions, Alienations, Mesne-rates, Reliefs, and all other Profits, within the Cognizance of the said Court, or incident to the said Tenures or any of them, or Fines to accrue to his Majesty, by reason of the said Tenures or any of them, and for, and in lieu of Respites, and Issues of Homage, and Fines for the same; And the said yearly Rent being so applotted and consented unto in Parliament as aforesaid, then a Bill is to be agreed on in the said Parliament, to be passed as an Act, for the securing of the said yearly Rent, or annual Sum of Twelve Thousand Pounds, to be applotted as aforesaid, and for the Extinction and taking away of the said Court, and other Matters aforesaid in this Article contained; And it is further agreed, that reasonable Compositions shall be accepted for Wardships fallen, since the 23. of *October* 1641. and already granted; And that no Wardships fallen, and not granted, or that shall fall, shall be past, until the success of this Article shall appear; And if his Majesty be secured as aforesaid, Then all Wardships fallen since the said 23. of *October*, are to be included in the Agreement aforesaid, upon Composition to be made with such as have Grants as aforesaid, which Composition to be made, with the Grants since the time aforesaid, is to be left to indifferent Persons, and the Umpirage to the said Lord Lieutenant his Majesty's Commissioner.

10. *Item*, It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that no Nobleman or Peer of this Realm in Parliament shall be hereafter capable of more Proxies than two, and that blank Proxies shall be hereafter totally disallowed, and that if such Noblemen or Peers of this Realm as have no Estates in this Kingdom do not within five Years, to begin from the conclusion of these Articles, Purchase in this Kingdom as followeth, *viz. A Lord Baron two hundred Pounds* per annum, *a Lord Viscount four hundred Pounds* per annum, *and an Earl six hundred Pounds ster.* per annum, shall lose their Votes in Parliament until such time as they shall afterwards acquire such Estates respectively; And it is further agreed, that none be admitted into the House of Commons but such as shall be Estated, and Resident within this Kingdom.

11. *Item*, It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that as for and concerning the Independency of the Parliament of *Ireland* on the Parliament of *England*, his Majesty will leave both Houses of Parliament in this Kingdom to make such Declaration therein as shall be agreeable to the Laws of the Kingdom of *Ireland*.

12. *Item*, It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty is further graciously pleased, That the Council Table shall contain it self within its proper Bounds in handling Matters of State and Weight fit for that Place, amongst which, the Patents of Plantation, and the Offices whereupon those Grants are founded, are to be handled as Matters of State, and be heard and determined by the Lord Lieutenant or other chief Governour or Governours for the time being and the Council, publickly at the Council Board, and not otherwise; but Titles between Party and Party, grown after these Patents granted, are to be left to the ordinary Course of Law; and that the Council Table do not hereafter intermeddle with common Business that is within the Cognizance of the ordinary

dinary Courts, nor with the altering of Possessions of Lands, nor make, nor use private Orders, Hearings, or References concerning any such Matter, nor grant any Injunction or Order for Stay of any Suits in any Civil Cause, and that Parties grieved, for or by Reason of any Proceedings formerly had there, may commence their Suits and prosecute the same, in any of his Majesty's Courts of Justice or Equity, for Remedy of their pretended Rights, without any restraint or interruption from his Majesty, or otherwise by the chief Governour or Governours and Council of this Kingdom. 22 *Caroli.*

13. *Item*, It is further concluded, granted and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that as for and concerning one Statute made in this Kingdom in the eleventh Year of the Reign of Queen *Elizabeth*, intituled, *An Act for staying of Wool, Flocks, Tallow*, and other Necessaries within this Realm, and one other Statute made in the said Kingdom in the 12 Year of the said Queen, intituled, *An Act*, —— —————— And one other Statute, made in the said Kingdom in the 13 Year of the Reign of the said late Queen, intituled, *An Explanation of the Act made in a Session of this Parliament for the staying of Wooll, Flocks, Tallow, and other Wares and Commodities* mentioned in the said Act, and certain Articles added to the same Act, All concerning Staple or Native Commodities of this Kingdom, shall be repealed, excepting for Wooll and Woollfells, and that such indifferent Persons as shall be agreed on by the said Lord Lieutenant, and the said Lord Visc. *Mountgarret, Donogh Lord Viscount Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight. *Nicholas Plunket, Richard Bellings, Phillip Mac Hugh Rely, Tirlogh O Neal, Thomas Flemming, Patrick Darcy, Garrald Fennel*, and *Geffery Brown* Esquires, or any five or more of them, shall be authorized by Commission under the Great Seal, to Moderate and Ascertain the Rates of Merchandise to be exported, or imported, out of, or into this Kingdom, as they shall think fit.

14. *Item*, It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that care be had, that the chief Governour, or Governours of this Kingdom for the time being, shall not continue in those Places longer than he shall find for the good of his People here, and that they shall be inhibited to make any Purchase other than by Lease for Provision of their Houses, during the time of their Government.

15. *Item*, It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that an Act of Oblivion shall be passed in the next Parliament, to extend unto all his Majesties Subjects of this Kingdom and their Adherents, of all Treasons and Offences, Capital, Criminal and Personal, and other Offences of what Nature, Kind, or Quality soever, in such manner, as if such Treasons or Offences had never been committed, perpetrated, or done, That the said Act do extend to the Heirs, Children, Kindred, Executors, Administrators, Wives, Widows, Dowagers, and Assigns of such of the said Subjects, and their Adherents, who died on, or since the 23. of *October* 1641. That the said Act do relate to the first Day of the next Parliament; That the said Act do extend to all Bodies Politcik, and Corporate, and their respective Successors, and unto all Cities, Boroughs, Countries, Baronies, Hundreds, Towns, Villages, Tythings, and every of them within this Kingdom, for and concerning all and every of the said Offences, or any other Offence or Offences, in them or any of them committed or done, by his Majesty's said Subjects or their Adherents, or any of them, in, or since the 23 of *October* 1641. That this Act shall extend to Piracies and all other Offences committed upon the Sea by his Majesty's said Subjects, or their Adherents, or any of them, That in this Act of Oblivion, Words of Release, Acquittal, and Discharge, be inserted; That no Person or Persons, Bodies Politick or Corporate, Countries, Cities, Boroughs, Baronies, Hundreds, Towns, Villages, Tythings, or any of them within this Kingdom, included within the said Act, be troubled, impeached, sued, inquieted, or molested, for, or by reason of any Offence, Matter or Thing whatsoever, comprized within the said Act, and the said Act shall extend to all Rents, Goods and Chattels taken, detained, or grown due, to the Subjects of the one side to the other, since the 23. of *October* 1641. to the Date of these Articles, and also to all Customs, Rents, Arrears of Rents, Prizes, Recognizances, Bonds.

An. 1646. Fines, Forfeitures, Penalties, and to all other Profits, Perquisites, and Dues, which were due, or did, or should, accrue to his Majesty on, before or since, the 23 of *October* 1641. until the perfection of these Articles, and likewise to all Mesne-rates, Fines, of what nature soever, Recognizances, Judgments, Executions thereupon, and Penalties whatsoever, and to all other Profits due to his Majesty since the said 23. of *October* and before until this present, for, by reason, or which lay within the survey or cognizance of the Court of Wards; and also to all Respites, Issues of Homage, and Fines for the same; Provided this shall not extend to discharge or remit any of the King's Debts, or Subsidies, due before the said 23 of *October* 1641. which were then, or before, levyed, or taken by Sheriffs, Commissioners, Receivers, or Collectors, and not then, or before accounted for, or since disposed to publick Use of the said Roman Catholick Subjects, but that such Persons may be brought to Account for the same, after full settlement in Parliament, and not before; Provided that such barbarous, and inhuman Crimes, as shall be particularized, and agreed upon, by the said Lord Lieutenant, and the Lord Viscount *Mountgarret*, *Donogh* Lord Viscount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Phillip Mac Hugh Reley*, *Terlogh O Neal*, *Thomas Fleming*, *Patrick Darcy*, *Gerald Fennel*, and *Geffery Brown* Esquires, or any five or more of them, as to the Actors, and Procurers thereof, be left to be tried and adjudged by such indifferent Commissioners as shall be agreed upon by the said Lord Lieutenant, and the said Lord Viscount *Mountgarret*, *Donogh* Lord Visc. *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Phillip Mac Hugh O Reley*, *Terlogh O Neal*, *Thomas Flemming*, *Patrick Darcy*, *Gerald Fennell*, and *Geffery Brown* Esquires, or any five or more of them, and that the Power of the said Commissioners shall continue only for two Years next ensuing the Date of these present Articles; Provided also that the Commissioners to be agreed on for Tryal of the said particular Crimes to be excepted, shall Hear, Order, and Determine all Cases of Trust, where Relief may or ought in Equity to be afforded against all manner of Persons according to the Equity and Circumstances of every such Cases; And his Majesty's Chief Governour, or Governours, and other Governours and Magistrates for the time being, and all his Majesty's Courts of Justice, and other his Majesty's Officers, of what Condition or Quality soever, be bound and required to take Notice of, and pursue the said Act of Oblivion, without Pleading or Suit to be made for the same; And that no Clerk or other Officers do make out, or write out, any manner of Writs, Processes, Summons, or other Precepts, for, concerning, or by reason of any Matter, Cause, or Thing whatsoever, Released, Forgiven, Discharged, or to be Forgiven by the said Act, under pain of twenty Pound Sterling; And that no Sheriff or other Officer do execute any such Writ, Process, Summons, or Precept; And that no Record, Writing, or Memory, do remain of any Offence, or Offences, released, or forgiven, or mentioned to be forgiven by this Act. And that all other Clauses usually inserted in Acts of General Pardon or Oblivion, enlarging his Majesty's Grace, and Mercy, not herein particularized, be inserted and comprized, in the said Act, when the Bill shall be drawn up, with the Exceptions already expressed, and none other; Provided always, that the said Act of Oblivion shall not extend unto any Treason, Fellony, or other Offence or Offences, which shall be committed or done from or after the Date of these Articles, until the first Day of the before mentioned next Parliament to be held in this Kingdom; Provided also, that any Act or Acts which shall be done by Virtue, Pretence or in Pursuance, of these Articles or any of them, after the Publication of the said Articles, or any Act or Acts which shall be done by Virtue, Colour, or Pretence, of the Power, or Authority used, or exercised, by and amongst the Confederate Roman Catholicks, after the Date of these Articles, and before the said Publication, shall not be accounted, taken, construed, or be Treason, Fellony, or other Offence, to be excepted out of the said Act of Oblivion; Provided likewise that the said Act of Oblivion shall not extend unto any Person or Persons, that will not obey and submit unto the Peace, concluded, and agreed on, by these Articles.

16. Item,

16. *Item,* It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that an Act be passed in the next Parliament, prohibiting that neither the Lord Deputy, or other chief Governor, Governors, Lord Chancellor, Lord High Treasurer, Vice Treasurer, Chancellor, or any of the Barons of the Exchequer, Privy Council, or Judges of the four Courts be Farmers of his Majesty's Customs within this Kingdom. 22 *Caroli.*

17. *Item,* It is further concluded, accorded, and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that an Act of Parliament pass in this Kingdom against Monopolies, such as was enacted in *England* 21. *Jacobi Regis,* with a further Clause of repealing of all Grants of Monopolies in this Kingdom, and that Commissioners be agreed upon by the said Lord Lieutenant, and the said Lord Viscount *Mountgarret, Donogh* Lord Viscount *Muskery,* Sir *Daniel O Bryen,* Knight, Sir *Lucas Dillon,* Knight, *Nicholas Plunket, Richard Bellings, Philip Mac Hugh O Rely, Terlogh O Neale, Thomas Fleming, Patrick Darcy, Gerrald Fennell,* and *Geffery Brown* Esquires, or any five or more of them, to set down the Rates for the Custom, or Imposition to be laid on *Aqua-vitæ,* Wine, Oyl, Yarn, and Tobacco.

18. *Item,* It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that such Persons as shall be agreed on by the said Lord Lieutenant, and the said Lord Viscount *Mountgarret, Donogh* Lord Viscount *Muskery,* Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon,* Knight, *Nicholas Plunket, Richard Bellings, Philip Mac Hugh Rely, Terlogh O Neale, Thomas Fleming, Patrick Darcy, Gerrald Fennell,* and *Geffery Brown,* Esquires, or any five or more of them, shall be upon Conclusion of these Articles, authorized by Commission under the Great Seal, to regulate the Court of Castle-Chamber, and such Causes as shall be brought into, and censured in the said Court.

19. *Item,* It is further concluded, accorded, and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that two Acts lately passed in this Kingdom, prohibiting *the Plowing with Horses by the Tail, and the other prohibiting the burning of Oats in the Straw,* be repealed.

20. *Item,* It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that upon Perfection of these Articles such Course shall be taken against such who have disobeyed the Cessation, and will not submit to the Peace, if any shall oppose it, as shall be just, and for the Peace of the Kingdom.

21. *Item,* It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty is further graciously pleased, forasmuch as upon Application of Agents from this Kingdom unto his Majesty in the fourth Year of his Reign, and lately upon humble Suit made unto his Majesty by a Committee of both Houses of the Parliament of this Kingdom, Order was given by his Majesty for Redress of several Grievances, and for so many of those as are not expressed in these Articles, whereof both Houses in the next ensuing Parliament shall desire the Benefit of his Majesty's said former Directions for Redresses therein, that the same be afforded them, yet so, as for Prevention of Inconveniences to his Majesty' Service, that the Warning mentioned the 21 Article of the Graces, in the fourth Year of his Majesty's Reign, be so understood, that the Warning being left at the Persons dwelling Houses, be held sufficient Warning, and that, as to the 22. Article of the said Graces, the Process hitherto used in the Court of Wards do still continue as hitherto it hath done in that, and hath been used in other *English* Courts, but the Court of Wards being compounded for, so much of the aforesaid Answer as concerns Warning, and Process, shall be omitted.

22. *Item,* It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty is farther graciously pleased, that Maritine Causes may be determined in this Kingdom, without driving of Merchants or others to appeal, and seek Justice elsewhere; and if it shall fall out that there be a Cause of an Appeal, the Party grieved is to appeal to his Majesty in the Chancery of *Ireland,* and the Sentence thereupon to be given by the Delegates, to be definitive, and not to be questioned upon any further Appeal, except it be in the Parliament of this Kingdom, if the Parliament shall then be sitting, otherwise not, This to be by Act of Parliament.

23. *Item.* It is further concluded, accorded and agreed, by and between the said Parties, and his Majesty out of his abundant Grace and Goodness to

An. 1646. his Subjects of this Kingdom is graciously pleased to assent, that his said Subjects be eased of the Increase of Rents lately raised on them upon the Commission of defective Titles, in the Earl of *Strafford*'s Government, this to be by Act of Parliament.

24. *Item*, It is further concluded, accorded, and agreed upon, by and between the said Parties, and his Majesty is further graciously pleased, that by Act to be passed in the next Parliament, all the Arrears of Interest of Money which did accrue, or grow due by Way of Debt, Mortgage, or otherwise, and yet not satisfied, since the 23 of *October*, 1641. until the Perfection of these Articles shall be fully forgiven and be released; and that for and during the Space of three Years next ensuing, no more shall be taken for Use, or Interest of Money, than five Pounds *per Cent.* and in all Cases of Equity arising through Disability, occasioned by the Distempers of those Times, the Considerations of Equity to be alike unto both Parties.

25. *Item*, It is concluded, accorded, and agreed, by and between the said Parties, and his Majesty is graciously pleased, that the said *Richard* Lord Viscount *Mountgarret*, *Donogh* Lord Viscount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennell*, and *Geffery Brown* Esquires, shall be immediately upon Conclusion of these Articles, authorized by Act of State to proceed in, hear, determin, and execute within the Cities, Corporate Towns, Counties, and Part of Counties, now, or late, within the Quarters of the said Confederate Catholicks, the ensuing Particulars, and all Matters thereupon depending, and that the said Act of State, and other the Authorities hereafter mentioned shall remain of Force without Revocation, Alteration, or Diminution, until Acts of Parliament be passed according to the Purport and Intent of these present Articles; only in Case of Death of any of the said Persons so to be authorized, the Lord Lieutenant, or other chief Governour, or Governours of this Kingdom for Time being, shall by the Advice and Consent of the Persons so to be authorized, then living, or any five or more of them, name others in the Place of such who shall be so dead, and the Persons so to be named, to be authorized as the former, and that the Persons to be authorized as aforesaid, or any five or more of them be permitted without Interruption to applot, raise and levy Means with Indifferency and Equality, upon all his Majesties Roman Catholick Subjects of this Kingdom, for the raising, cloathing, and bringing to Sea-Ports, and maintaining there, until they be shipped, ten thousand Men promised by the Confederate Catholicks of this Kingdom to assist his Majesty, and to levy the Arrears of all Excises, and other publick Taxes already imposed by them, and yet unpaid; and to call all Receivers and other Accomptants of all former Taxes and publick Dues to a just and strict Accompt, either by themselves, or by such as they, or any five or more of them shall name and appoint, and that the said Persons to be authorized as aforesaid, or any five or more of them shall have Power to applot, raise, and levy Means with Indifferency and Equality, by Way of Excises, or otherwise, in the several Cities, Corporate Towns, Counties, and Parts of Counties now within the Quarters of the said Confederate Catholicks, towards the Maintenance of such Army or Armies as shall be thought fit to continue, and be in Pay, for the Defence of the Kingdom, and towards the Maintenance of all the Forts, Castles, and Garrisons within both, or either of the now Quarters of either Party, other than such of the said Garrisons, Forts, and Castles, as from Time to Time, until there be a Settlement in Parliament, shall be thought fit by his Majesties chief Governour, or Governours of this Kingdom for the Time being, by and with the Advice and Consent of the said Persons so to be authorized, or any five or more of them, not to be maintained at the Charge of the Publick, provided that his Majesties Lieutenant, or other chief Governours for the Time being, be first made acquainted with such Taxes, Levies, and Excises as shall be made, and the Manner of levying thereof, and that he approve the same, and that the Persons to be authorized as aforesaid, or any five or more of them, shall be authorized to appoint Receivers, Collectors, and all other Officers, for such Monies as shall be so assessed, and for the Arrears of all former Applotments, Taxes, and other publick Dues yet unpaid, and that the Persons so to be authorized, or any five or more of them.

them, in Case of Refractoriness, or Delinquency, may distrain, and imprison, and cause such Delinquents to be distrained or imprisoned, and that the Profits of the Estates, within the now Quarters of the Confederate Catholicks, of such as shall adhere to the Parliament, and not submit to the Peace, be accounted as publick Dues, and be converted to the Maintenance of the Kings Army: And that the said Persons to be authorized as aforesaid, or any five or more of them, shall have Power to applot, raise, and levy Means with Indifferency and Equality, for the buying of Arms and Ammunition, and for entertaining of Frigots, in such Proportion and Manner as shall be thought fit by his Majesties Lieutenant, or other chief Governour, or Governours, for the Time being, by and with the Advice and Consent of the said *Richard* Lord Viscount *Mountgarret*, *Donogh* Lord Viscount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennell*, and *Geffery Brown*, Esquires, or any five or more of them: The said Arms and Ammunition, to be laid up in such Magazines, and under the Charge of such Persons as shall be agreed, by the said Lord Lieutenant, and the said Persons to be authorized as aforesaid, or any five or more of them, and to be issued, and the said Frigots to be employed, by the Lord Lieutenant, or other chief Governour, or Governours for the Time being, for the Safety of the Kingdom, by the Advice and Consent of the said *Richard* Lord Viscount *Mountgarret*, *Donogh* Lord Viscount *Muskery*, Sir *Daniel O Bryen*, Sir *Lucas Dillon*, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennell*, and *Geffery Brown*, or any five or more of them: And that the said Persons so to be authorized as aforesaid, or any five or more of them shall have Power to applot, raise, and levy Means with Indifferency and Equality, by Way of Excises, or otherwise, in the several Cities, Corporate Towns, Counties, and Parts of Counties now within the Quarters, and upon the Estates of the said Confederate Catholicks, all such Sum and Sums as shall appear unto the said Persons, to be authorized as aforesaid, or any five or more of them, to be really due, for, and in Discharge of the publick Engagements of the said Confederate Catholicks, incurred or grown due before the Conclusion of these Articles, and that the said Persons to be authorized as aforesaid, or any five or more of them, shall have Power to applot, raise, and levy Means with Indifferency and Equality, by Way of Excise, or otherwise, in the several Cities, Corporate Towns, Counties, and Parts of Counties, now within the Quarters of the said Confederate Catholicks, as well for the Persons to be authorized as aforesaid, and also for such other Person and Persons as shall be employed in publick Affairs within the several Cities, Corporate Towns, Counties, and Parts of Counties within the now Quarters of the said Confederate Catholicks, from Time to Time, until a Settlement by Parliament, and that the said Persons to be authorized as aforesaid, or any five or more of them, make perfect Books of all such Monies as shall be applotted, raised, and levied, out of which Books they are to make several and respective Abstracts, to be delivered under their Hands, or the Hands of any five or more of them, to the several and respective Collectors, who shall be appointed to levy, and receive the same; and that a Duplicate of the said Books, under the Hands of the said Persons to be authorized as aforesaid, be delivered unto his Majesties Lieutenant, or other chief Governour or Governours for the Time being, whereby a perfect Accompt might be given.

22 Caroli.

26. *Item*, It is further concluded, accorded, and agreed, by and between the said Parties, And his Majesty is graciously pleased, That for the Preservation of the Peace, and Tranquillity of the Kingdom, that the said Lord Lieutenant, and the said Lord Viscount *Mountgarret*, *Donogh* Lord Viscount *Muskery*, Sir *Daniel O Bryen*, Knight, Sir *Lucas Dillon*, Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennel*, and *Geffery Brown* Esquires, or any five or more of them, shall for the present, agree upon such Persons who are to be authorized by Commission under the great Seal, to be Commissioners of the Peace, *Oyer* and *Terminer*, and Goal-delivery, in the several Counties, and Parts of Counties, within the now Quarters of the Confederate Catholicks, with such Power as Justice of the Peace, *Oyer* and *Terminer*, and Goal-

An. 1646. Goal-delivery, in former Times of Peace, have usual had, which is not to extend unto any Crime, or Offence, committed before the 15. of *September* 1643. And to be qualified with Power to hear and determine all Civil Causes coming before them not exceeding ten Pounds; Provided that they shall not intermeddle with Titles of Lands; Provided likewise the Authority of such Commissioners shall not extend, to question any Person or Persons, for any Cattle or Goods, heretofore taken by either Party from the other, contrary to the Articles of Cessations, but that the same shall be left to be determined in such Way, as by these Articles is already prescribed, which Commissioners are to continue till Settlement by Parliament, *Si tam diu se bene gesserint*, And if any who shall be so intrusted, shall misbehave himself in the Execution of such Trust, within that Time, that then such other Person or Persons shall be appointed in his or their Place, as shall be agreed on by his Majesty's chief Governour, or Governours for the Time being, by the Advice and Consent of the said Persons so to be entrusted, or any five or more of them, and the said Commissioners are to make their Estreats as accustomed in Time of Peace, and shall take the ensuing Oath, *viz. You shall swear that as Justice of the Peace*, Oyer *and* Terminer, *and Goal-delivery, in the Counties of A. B. C. in all Articles of the King's Commission to you directed, you shall do equal Right to the Poor and to the Rich, after your Cunning, Wit, and Power, and after the Laws and Customs of the Realm, and in Pursuance of these Articles; and you shall not be of Council of any Quarrel hanging before you, And the Issues, Fines, and Amerciaments, which shall happen to be made, and all Forfeitures which shall happen before you; You shall cause to be enter'd without any Concealment, or Imbezeling, and truly send to the King's Exchequer; You shall not let for Gift, or other Cause, but well and truly you shall do your Office of Justice of the Peace*, Oyer *and* Terminer, *and Goal-delivery in that Behalf, and that you take nothing for your Office of Justice of the Peace*, Oyer *and* Terminer, *and Goal-delivery to be done, but of the King, and Fees accustomed; And you shall not direct, or cause to be directed, any Warrant by you to be made to the Parties, but you shall direct them to the Sheriffs, and Bayliffs of the said Counties respectively, or other the King's Officers, or Ministers, or other indifferent Persons to do Execution thereof, So help you God*. And that as well in the said Commission, as in all other Commissions and Authorities, to be issued in Pursuance of these present Articles, this Clause shall be inserted, *viz.* That all Officers, Civil and Marshal, shall be required to be aiding and assisting, and obedient unto the said Commissioners, and other Persons to be authorized as abovesaid in the Execution of their respective Powers.

27. *Item*, It is further concluded, accorded, and agreed, by and between the said Parties, And his Majesty is further graciously pleased, That none of the now Roman Catholick Party shall from henceforth, until there be a Settlement by Parliament, sue, implead, or arrest, or be sued, impleaded, or arrested in any Court, Place, Judicature, or Tribunal, or before any Judge, Justice, or Commissioner whatsoever, other than before the Commissioners aforesaid, or in the several Corporations, or other Judicatures, within the now Quarters of the said Confederate Catholicks, as hath, or have Power derived from his Majesty.

28. *Item*, It is further concluded, accorded, and agreed, by and between the said Parties, and his Majesty is further graciously pleased, that his Majesty's Confederate Catholick Subjects do continue the Possession, of such of his Majesty's Cities, Garrisons, Towns, Forts, and Castles, which are within their now Quarters, until Settlement by Parliament, and to be commanded, ruled and governed in Chief, by such as his Majesty or his chief Governour or Governours of this Kingdom for the Time being shall appoint, and his Majesty his chief Governour, or Governours of this Kingdom as aforesaid, is to issue Commissions, and appoint such Person, or Persons, as shall be named by his Majesty's chief Governour, or Governours for the Time being, by, and with the Advice and Consent of the said Lord Viscount *Mountgarret*, *Donogh* Lord Viscount *Muskery*, Sir *Daniel O Bryen*, Sir *Lucas Dillon*, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neal*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennel*, and *Giffery Brown* Esquires, or any five or more of them, for the Execution of such Command, Rule or Government, to continue until all the Particulars in these

22 Caroli.

these present Articles agreed on to pass in Parliament, shall be accordingly passed, only in Case of Death, or Misbehaviour, such other Person or Persons to be appointed for the said Command, Rule, and Government to be named and appointed in the Place, or Places, of him, or them, who shall so die or misbehave themselves, as the chief Governour or Governours, for the Time being, by the Advice and Consent of the said Lord Viscount *Mountgarret*, and the rest of the above mentioned Parties to be authorized as aforesaid, or any five or more of them, shall think fit, and to be continued until Settlement in Parliament, as aforesaid.

29. *Item*, It is further concluded, accorded, and agreed, by and between the said Parties, And his Majesty is further graciously pleased, That all Customs belonging to his Majesty which from the Perfection of these present Articles shall fall due within this Kingdom, shall be paid into his Majesty's Receipt, and to his Use, any Request, Clause, or Demand, in the Act of Oblivion, or in any other former Propositions to the contrary notwithstanding; Provided, that all and every Person and Persons, who are at the present intrusted within the now Quarters of the Confederate Catholicks, by them the said Confederate Catholicks in the Entries, Receipts, Collections, or otherwise concerning the said Customs, do continue their respective Imployments in the same, until full Settlement in Parliament; other than as to such, and so many of them, as to the chief Governour, or Governours, for the Time being, by the Advice and Consent of the said Lord Viscount *Mountgarret*, and the other Persons to be authorized as aforesaid, or any five or more of them shall be thought fit to be altered, and then, and in such Case, or in Case of Death, or Misbehaviour, or other Alteration, of any such Person or Persons, such other Person or Persons to be employed as shall be thought fit, by the chief Governour or Governours for the Time being, by, and with the Advice and Consent of the said Lord Viscount *Mountgarret*, and the rest of the Persons to be authorized as aforesaid, or any five or more of them; And as to his Majesty's Rents to grow due, at *Easter* next, and from thenceforth, the same to be payable unto his Majesty notwithstanding any Thing contained in the Article of the Act of Oblivion, or in any other Article to the contrary, but the same not to be written for, or levyed, until a full Settlement in Parliament, as aforesaid.

30. *Item*, It is further concluded, accorded, and agreed, by and between the said Parties, And His Majesty is further graciously pleased, That the Commissioners of Oyer and Terminer, and Gaol-delivery, to be named as aforesaid, shall have Power to hear and determine all Murthers, Manslaughters, Rapes, Stealths, Burning of Houses, and Corn in Reeke, or Stacks, Robberies, Burglaries, forcible Entries, Detainers of Possessions, and other Offences, committed, or done, and to be committed and done from the 15 Day of *September*, 1643. until the first Day of the next Parliament. These present Articles, or any therein contained to the contrary notwithstanding; Provided that the Authority of the said Commissioners shall not extend to question any Person, or Persons, for doing or commiting any Act whatsoever before the Conclusion of this Treaty by Virtue or Colour of any Warrant or Direction from those in publick Authority among the Confederate Catholicks; nor unto any Act which shall be done after the perfecting and concluding of these Articles by Virtue of Pretence of any Authority, which is now by these Articles agreed on; Provided also the said Commission shall not continue longer then to the first Day of the next Parliament. In witness whereof his Excellency the Marquess of *Ormond*, Lord Lieutenant of *Ireland*, his Majesty's Commissioner to that Part of these Articles remaining with the said *Richard* Lord Viscount *Mountgarret*, *Donogh* Lord Viscount *Muskery*, Sir *Robert Talbot*, Baronet; *Dermot O Bryen*, *Patrick Darcy*, *Geffery Brown*, and *John Dillon* Esquires; And the said *Richard* Lord Viscount *Mountgarret*, *Donogh* Lord Viscount *Muskery*, Sir *Robert Talbot*, Baronet; *Dermot O Bryen*, *Patrick Darcy*, *Geffery Brown*, and *John Dillon* Esquires; to that Part of these Articles remaining with the said Lord Lieutenant, have put their Hands and Seals at *Dublin* this 28 Day of *July*, 1646. and in the two and twentieth Year of the Reign of our Sovereign King *Charles*, King of *Great-Britain*, *France* and *Ireland*, &c.

An. 1646.

The Remonstrance of the Protestant Clergy to the Marquess of Ormond, *upon Conclusion of the Peace with the* Irish, 1646.

May it please your Excellency,

WE Archbishops, Bishops, and the rest of the Clergy of the Kingdom of Ireland, *Subscribing, are wonderful sensible how your Excellency (out of Zeal to God's Glory, and the Protestant Religion, and out of Loyalty to his Majesty) hath in this great Distemper, with much Hazard, singular Wisdom, and vigilant Care, preserved not only in this City, but also in all the out-Garrisons, the free and full Exercise of the true Reformed Religion, according to the Liturgy and Canons so many Tears received in the Church, which (with bleeding Hearts we may say) is more than we know to be in any other Part of the three Kingdoms. As also that we do most heartily acknowledge, that by your very great Pains and Labour you have at last concluded a most necessary Peace, which we humbly conceive* to be the only Means to continue these great Blessings of Religion and Loyalty amongst us, and to be the only hopeful Way to reduce this whole Kingdom to his Majesty's Obedience.

And withal we do most ingeniously profess, That out of your Piety and Nobleness you have vindicated our Callings and Places from Contempt, and protected us from personal Injuries, and provided a Subsistence for us, without which many of us had undoubtedly starved.

Out of the deep Sense of all which, and many more Favours than we are able to express, we were the most unthankful of all Men, if we should not praise God for your Excellency, and return to you our most humble and hearty Thanks; faithfully promising to continue our fervent Prayers to God, and our very best Endeavours for strengthning your Hands in managing the great Trust his Majesty reposeth in you, and in maintaining Religion and the Peace now establisht amongst us.

Having made this just and necessary Remonstrance of our Gratitude and Resolutions, we do most humbly beseech your Lordship to continue (as we are very confident you will) your Care to preserve the Religion, Book of Service, publick Worship, in the Decency and Comeliness thereof, and the true Apostolical Government of the Church now exercised amongst us, against all Oppositions whatsoever. And graciously to persist in your Care to provide some competent Maintenance for us, till we may conveniently return to our Benefices; And if any of our Number shall be disaffected to the Religion, Book of Service, publick Worship, and Government of the Church, his Majesty's Service, or Disturbers of the present Peace, we do not supplicate for such, but leave them to your Lordship, to be proceeded with as you shall find convenient.

After the Peace thus concluded, the Lord Lieutenant *Ormond* took a Journey himself to *Kilkenny*, to expedite the Levies that were promised for his Majesty's Service; where he was received with all seeming Demonstrations of Reverence and Esteem for his Person and Character.

The Lord *Digby* accompanied him thither, and remaining there for some Time, did by a Letter from thence to the Lord *Inchiquin*, endeavour to bring him over to the King's Interest. Which Letter and the Answer follow.

The Lord Digby's *Letter to the Lord* Inchiquin. *Sept.* 2. 1646.

My Lord,

I have several Times, while I was in England, *endeavoured (tho' unsuccessfully) to convey unto your Lordship this Truth, that amongst all the Calamities of my Country, and Misfortunes to the King my Master, there hath not happened any Thing of a more near and personal Affliction to me, than the Separation from his Service and Interest of a Person for whom I had so high a Value, and particular a Friendship, as for your Lordship, and upon whose Affection and Abilities I had founded so great a Part of my solidest Hopes for his Majesty's Restoration.*

And really (my Lord) how opposite Courses soever we have since run, and appear still engaged in; I must profess that I have ever cherisht all the Arguments I could possibly raise to perswade my self, that either some strange Mistakes, or some desperate Malice of others, have occasion'd this Separation; and that only the Impossibility of our Meeting to clear them, hath continued it.

Wherefore, my Lord, we being now both upon a Scene, where it will depend meerly upon our own Wills to give our selves that Satisfaction, concerning one another's

thers Opinions and Actions, (which a much less Kindness than ours was might challenge) I send this not only to invite, but even to conjure your Lordship to pay that Duty to former Friendship, as to agree of the Place, and Manner where (upon the mutual Security of our own Honours) I may wait upon you, and enjoy the Happiness of an Hour or two's Conference with you; from which I hope there may be much Advantage produced to the publick, and am most assured, at least of much Satisfaction to our selves; since certainly either I shall have so much Reason to work upon you, or yours so much Power on me, as tho' not to alter my Opinion in Relation to the publick, yet so far to enlighten me in what concerns my own Particular, as not to let my publick Engagements in the contrary Way, be any longer any Impediment to my resuming in a private one, the Affection wherewith I was formerly, 22 Caroli.

My Lord,

Kilkenny Sept. 2. 1646.

Your Lordships most Affectionate Humble Servant,
George Digby.

My Lord,

THE Place you are now in, whom I knew to be a Person in whom his Majesty reposed so much Trust, and the Peace now concluded by his Majesty's Authority, to the utter Ruin (as I conceive) of all that profess the Protestant Religion in this Kingdom and submit thereunto; have evidenced to the whole World those just Grounds that caused my Separation from that your Lordship is pleased to call his Service and Interest, tho' I assure my self it tends to the Ruin of both. The Lord *Inchiquin*'s Answer, *Sept.* 9th.

I find your Lordships Opinion in Relation to the Publick so setled, that I am not so vain as to entertain an Hope of altering your Lordship by my Reasons: And I am very sure (tho' I must acknowledge your Reason and Abilities to be great) my Resolutions are built upon such a Foundation as can never be moved. And therefore cannot imagine what Advantage can be derived to the Publick by our personal Meeting, the Honour whereof, I may not (for any particular Respect) allow my self. And for the private Friendship, (with the Mention whereof you are pleased to honour me) the publick Impediments being removed, I shall be ambitious to have it renewed, and shall also account it an Honour to be esteemed by you,

My Lord,

Cork *the 5th of* Sept. 1646.

Your Lordships most Humble Servant,
Inchiquin.

The *Irish* Laiety seemed much to rejoyce at first for the late concluded Peace, but the Pope's Nuncio, with many of the titular Bishops, conven'd a Congregation of the Clergy at *Waterford* (a Town most at their Devotion) where the titular Bishop of *Ferns* was President.

Which Congregation began to inveigh against the Peace, alledging that it had not sufficiently provided for the Advancement of Religion, and therefore would not suffer it to be proclaimed in *Waterford*; and sent their Emissaries and Orders to most considerable Towns to incense the People against it; insomuch that when the King at Arms was proclaiming the said Peace at *Limerick*, accompanied with the Mayor, Aldermen, and chief Citizens, all in their Habits and Formalities, one *Molise* a Fryar raised a Tumult, which being Headed by one *Dominick Flanning*, a Person notorious for many Acts of Blood and Inhumanity in the Beginning of the Rebellion, (and afterwards in the Year 1651 hang'd by *Ireton*) violently assaulted them, tore the Herald's Coat off his Back, wounded the Mayor and several of the Magistrates of the City, some of them almost to Death; And presently the Mayor was displaced, and the said *Flanning* made Mayor in his Room, to whom the Pope's Nuncio writ Letters, returning him Thanks for what he had done, and encouraged him to proceed, giving him his Apostolical Benediction, &c.

Also

An. 1646. Also the Lord Lieutenant, being in his Progress to settle the Country, coming near the City of *Cashel*, was advertis'd by the Mayor thereof, that *Owen O Neal*'s Army was marching that Way, and had sent terrible Menaces to that City, if it should presume to receive him the said Lord Lieutenant; and soon after his Lordship found that the said *Owen O Neal* endeavoured to get between him and *Dublin*, to surprize and destroy him, whereupon his Excellency with all Expedition retreated to *Dublin*, and used all Industry to put that City in a Posture of Defence. In the mean time, the before-mentioned Congregation, thunder'd out the following Declaration and Fulmination.

A Declaration by the Ecclesiastical Congregation of both Clergies of Ireland, *assembled together in the Name of the Holy Ghost at* Waterford. Before the most Reverend Lord, the Arch-Bishop *Firmans*, the Apostolical Legate residing in *Ireland*.

Aug. 12. 1646. CONcerning the Question between us debated, and disputed on many Days together, whether they who accepted a Peace, contained in thirty Articles, transmitted to us by the supreme Council, were to be declared perjured, and consequently whether they should be excommunicated as perjured Persons: The Opinions and the Reasons of every one being first heard, and the Writings of some Doctors of Divinity read.

It is ordered by one general Consent, and voted by all (no Man gainsaying it,) That all and singular Confederate Catholicks, who shall adhere to the said Peace, or consent with the Favourers of it, or after any other Manner, shall entertain and embrace it, are absolutely to be accounted perjured; especially for this Reason, because in those Articles there is no mention made of the Catholick Religion, and the Security thereof, nor Regard had of the Conservation of the Priviledges of the Country, as it was promised by the Oath, but that all Things are rather referred to the Judgment of our most renowned King (from whom in this present Estate, we can have nothing setled,) and in the mean Time, the Armies, Weapons, and Fortifications, and the said supreme Council of the Confederate Catholicks it self, are subjected to the Authority and Command of the Council of the State, and the Protestant Officers of his Majesty, from whom that he might be secure, we have taken that Oath: From which, and many other Causes, moved only by our own Consciences, and having God before our Eyes, that it may be known to all and singular, as well *Irish* as Strangers, that we have not, nor will give our Consent to such Peace, except safe Conditions, as well for our Religion, as for the King, and for the Country, according to our Oath be offered unto us, and that our Flocks, and all our Catholick People, with our Confederate Friends, who in these general Meetings, have sometimes asked our Advice in this spiritual Business belonging only to a spiritual Judge, may know certainly what hath been determined by us; to the End, that the godly and faithful Catholicks, obeying their Shepherds and Pastors, may concur in the same Sentence.

We have commanded this Decree to be written, and published in all Places in the *English* and the *Irish* Tongue, which we have confirmed with our Hands and Seals. But the other Question concernining Excommunication, we have referred until the next Sessions.

Given at Waterford *the* 12*th Day of* August, 1646.

JOhn *Baptista* Arch-Episcopus, *Fermanus* Nuntius Apostolicus.

Frater. *Thomas Dublin, Thomas Cosselences*, Arch-Episcopus.

Frater. *Boetius Elpham, Fr. Pr. Waterford* and Lis. *John Laonens* Episcopus.

Frater. *John Clanfortinsis, Richard Ardfertensis*, and Acadam Episcopus.

Franciscus Aladencis Episcopus.

Emund Lenierecenciis. Fr. Edm. Laghlen, Epis *Emerus Clogherencis.*

Frater. *Nicholas Formensis.*

Frater.

Frater. *Jacobus Conald*, Abbas Benehoram.
Frater. *Pr. Plunketus*, Abbas B. M. *Dublin*.
Frater. *Lorentius Fitz. Harris*, Abbas desurio.
Frater. *John Cantnell*, Abbas de sancto cruce.
Jacobus Tobin, Abbas de Kilcole.
Robertus Barry, Vicarius Apostolicus Rossensis.
Frater. *Donaldus Agrippa*, Fuinburences.
Frater. *Gregorus offarel*, prior provincialis ord. Predicate.
Dionisius O Briscol, prior provincialis Eremitarum Sancti Augustini.
Edmund O Teg, procurator Illustriff. Armacha in Cornell.
Gualter Lincheus, Vicharius Apost. Tuamensis.
Gulielin: Bargat, Vicar. Apost. Immolacensis.
James Dempshi, Vicar. Gener. Kilder. Cornel.
Gasneas Adensis, Vic. Genet.
Oliverus Deise, Vic. Gener. Midencis.
Dominicus Roch, Vic. Gener. Corcagiencis.
Symon O Connory, Vic. Gener. Cluonensis.
Edmund Gerardius, Vic. Gener. Cluonensis.
Carolus Cogham, Vic. Gener. Cluonensis.
Frater. *Robertus Nugentius*, superior societatis Jesu.
Barnabas Barnwal, Commissarius Generalis Capucinorum.

A Proclamation from the Bishop of Offory, *excommunicating the Clergy of* Kilkenny, *for adhering to the Peace concluded between the Council and the Marquess of* Ormond.

WHereas we have in publick and private Meeting, at several Times declared to the supreme Council, and others whom it might concern, that it was and is unlawful, and against Conscience; yea, implying Perjury (as it hath been designed by a special Act of the Convocation now at *Waterford*) to do or concur to any Act tending to the Approbation or countenancing of the Publication of this unconscionable and mischievous Peace, so dangerous (as it is now articled) to both Common-Wealths, Spiritual and Temporal, but more particularly to the Spiritual.

And whereas, notwithstanding our Declaration of the whole Clergy of the Kingdom to the contrary, the supreme Council and Commissioners have actually proceeded to the Proclamation of it, yea, and forced on the City by Terrour and Threats, rather than by any free Consent, or Desire of the People.

We having duly considered, and taken to Heart, as it becometh, how envious this Fact both is, and appears in Catholicks, even against God himself, and what publick Contempt of the holy Church it appeareth, besides the Evils it is like to draw on this poor Kingdom.

After mature Deliberation, and Consent of our Clergy (in Detestation of this heinous and scandalous Disobedience of the supreme Council) and others who adhere unto them, in a Matter of Conscience towards the holy Church, and in Hatred to so wilful and abominable an Act, do by these Presents (according to the Prescription of sacred Canons) pronounce and command (from henceforth) a general Cessation of divine Offices throughout all the City and Suburbs of *Kilkenny*, in all Churches, Monasteries, and Houses in them whatsoever.

Given at our Palace of Nova Curia,
the 18th Day of August, 1646.

The *Irish* were so over-aw'd with these Bugbears of their Clergy, that they committed and delegated the intire and absolute Power of governing and commanding, as well in secular as Ecclesiastical Matters to the Pope's Nuncio, who committed to Prison the *Irish* Commissioners that had transacted the Treaty; and so soon after drew General *Preston* and his Army to join with him, causing the following Oath to be taken of all his Adherents.

An. 1646.

An Oath administred against the Peace.

I A. B. Swear and Protest, That I will adhere to the present Union of the Confederate Roman Catholicks, that reject the Peace lately agreed and proclaimed at Dublin, *and do nothing by Word, Deed, Writing, or otherwise, to the Prejudice of that Union, and will to the uttermost of my Power advance and further the Good and Preservation of it, and of his Majesty's Rights, and the Priviledges of free-born Subjects, to the Natives of this Kingdom.*

And then the Nuncio (as Generalissimo) led both Armies towards *Dublin*, consisting of near 1600 Men; whereupon the Marquess of *Ormond* being extremely straitned, and in Want of Ammunition, sent to the Parliament's Ships then riding in the Bay of *Dublin*, desiring them to furnish him with some, and to transport certain Commissioners from him to *England* to treat with the Parliament touching the Surrender of *Dublin* into their Hands. Accordingly Sir *Gerard Lowther* the Lord chief Baron, Sir *Paul Davies*, and Sir *Francis Willoughby* came over, and arrived at *London Octob.* the 12*th*. And having been heard by a Committee, and the Matter reported to the House, it was ordered to send over Sir *Thomas Wharton*, Sir *Robert King*, Sir *John Clotworthy*, Sir *Robert Meredith* Knights, and *Richard Salwey* Esq; to *Dublin*, to treat with his Excellency further about the same, carrying with them some Money and Forces for the Relief of that Place, if they could agree for its Surrender. They arrived there on the 12*th* of *November*, and the whole Negotiation they had with the Marquess, be pleased to take as followeth.

The Papers of the whole Treaty between the Marquess of *Ormond*, and the Parliament's Commissioners. *Nov.* 1646.

May it please your Lordship,

WE *are sent hither Commissioners from the Parliament of* England, *to communicate to your Lordship Matters of high Importance, concerning the Preservation of the Protestants in the Kingdom of* Ireland; *to which End we desire from your Lordship a safe Conduct, for the coming and returning of our selves, and such as shall attend us, not exceeding the Number of 30 Persons, and for such Things as appertain to us. We remain,*

Your Lordships most humble Servants,

Dated from the Bay of *Dublin*, the 13. of *Novemb.* 1646.

Tho. Wharton. Rob. King.
Jo. Clotworthy. Rob. Meredith.
Ri. Salwey.

For the most honourable the Marquess of Ormond.

WHich safe Conduct being sent unto them, the said Commissioners landed the next Day, and presented themselves to the Lord Lieutenant, and after an Interview returned to their Lodging, and soon after came to his Lordship, and delivered him a Copy of their Commission, and the next Day being the 15. of *November*. 1646. they delivered to his Lordship, Copies of the Ordinance of Parliament in their Commissions mentioned, and of the Order which did lead thereunto, and of such Instructions as they had concerning his Lordship. The Tenor of all which, and of the subsequent Passages upon the Treaty, do appear in the Papers following.

At the Committee of Lords and Commons, at Darby *House.*

BY *Virtue of an Ordinance of Parl. of the* 15. *of this Instant* October, *authorizing us, We do constitute and appoint you, Sir* T. Wharton, *Sir.* Rob. King, *Sir* John Clotworthy, *and Sir* Robert Meredith *Knights, and* Rich. Salwey *Esq; Commissioners to treat with the Lord of* Ormond, *for and concerning the Delivery of the Sword, the City of* Dublin, *and all other Garrisons and Holds*

in

in his Power. And you or any three of you have hereby Power to treat with the said L. of Ormond, *concerning the Premises, and to agree and conclude with him concerning the same, according to such Instructions as are delivered unto you.*

Given this 23. *of* October, 1646.

Northumbelrand. E. Manchester. P. Lisle.
P. Wharton. W. Peirrepoint. Denzel Hollis.
P. Stapleton. W. Lewis. J. Temple. Ro. Goodwyn.

Copia vera, Ex.
W. Rowe, Sectr.

Die Lunæ, 12. *October*, 1646.

IT is this Day ordered by the Commons assembled in Parliament, That it be referred to the Members of both Houses, that are of the Committee of both Kingdoms, to consider of these Letters, and to receive the Addresses of the Commissioners from *Ireland*, and their Propositions, and to view and consider of their Instructions, and the Members of this House that are of the Commitece of both Kingdoms, or any four of them, have Power to meet this Afternoon at two of the Clock in *Darby-House* for the Purposes aforesaid, and have Power to report to Morrow, if they shall see Occasion; And the Lord Lieutenant of *Ireland*, Mr. *Hollis*, Sir *John Clotworthy*, and Sir *John Temple*, have Power, and are desired to be present at the Meeting of this Committee.

Mr. *Na. Fines*, Sir *W. Lewis*, and Mr. *Rob. Goodwyn*, *are added to this Committee.*

Hen. Elsynge, Cler. Parl. D. Com.

Die Jovis 15. *Octobris*, 1646.

THE Lords and Commons assembled in Parliament, do declare, That they resolve to proceed upon the second Way of Overture, made by the Earl of *Ormond*, and will appoint some Way of treating with him for his Retirement, and will imploy such as they shall think fit in the Trust of that Kingdom.

John Brown, Cler. Parliament.

Vera Copia, Ex.
W. Rowe, Sect.

Die Jovis 15. *Octobris*, 1646.

ORdered by the Lords and Commons in Parliament assembled, That the whole Affair concerning *Ireland*, in Respect of the Secresie and Expedition thereunto necessary, be referred back to the former Committee, And the Committee hath Power to give Instructions to such as they shall employ for the Pursuance and Transaction of that Affair, and to order the Forces that shall go thither, and to dispose of the Ammunition, and other Provisions for the Service of *Ireland*, as they shall judge best for the publick Service, and are to meet this Afternoon, and so from Time to Time as they shall see Cause.

John Brown, Cler. Parliament.

Vera Copia, Ex.
W. Rowe, Secr.

Instructions for Sir Tho. Wharton, *Sir* Rob. King, *Sir* John Clotworthy, *Sir* Rob. Meredith *Knights, and* Rich. Salwey, *Esq*; *concerning the Lord of* Ormond.

YOU are to declare to the L. of *Ormond*, the E. of *Roscommon*, and the rest of those that signed the Instructions to Sir *Gerard Lowther*, Sir *Francis Willoughby*, and Sir *Paul Davies*, That the Parliament will take into

An. 1646.

their Care and Protection the Protestants of *Ireland*. If the L. of *Ormond* do within four Days deliver up the Sword, render all the Garrisons, and other Commands to the Pleasure of the Parliament, Then you, or any three of you, are to give these ensuing Conditions.

1. That the L. of *Ormond* shall enjoy his Estate without Molestation or Disturbance from the Parl. And shall have Indempnity against all Debts contracted, by Reason of any Goods, Money, Debts, or Victuals taken up by Virtue of any Warrants signed by him and the Council, from any Person, for the Maintenance and Support of the Armies, or any of the Garrisons, now under his Command.

2. That he shall be protected in his Person and Goods for the Space of twelve Months against all Suits, Arrests, Molestation, or Disturbance from any Person whatsoever, for any Debts owing by him to any Person whatsoever before the Rebellion there.

3. That the L. of *Ormond*, and all such Noblemen, Gentlemen, and Officers, as shall be desirous to go with him, or by themselves, into any other Place out of that Kingdom, shall have free Passes for themselves, their Families, Goods, and travelling Arms, and a competent Number of Servants suitable to their respective Qualities.

4. That the L of *Ormond* shall have 5000. *l.* paid him in *England* or *Ireland*, in such Manner as shall seem best to the Commissioners now sent: And shall have also 2000. *l. per annum* for five Years, and if the War shall longer continue in such Manner, as he cannot receive 2000. *l. per annum*, out of his own Estate, That then he shall have the said Pension of 2000. *l. per annum* still continued, until he can receive so much out of his own Estate.

5. That the L. of *Ormond* shall have Liberty to come and live here in *England*, with the like Liberty that others have, he submitting to all Ordinances of Parliament. And for the Time of twelve Months shall not be pressed to any Oaths, he engaging his Honour to do nothing in the mean Time, that shall be disservice to the Parliament.

Darby-House 17. *Octob.* 1646.

A. Northumberland.	*E. Manchester.*	*P. Lisle.*	*P. Wharton.*
W. Pierrepoint	*Denzel Hollis.*	*W. Waller.*	*W. Armyn.*
Ph. Stapleton.	*John Temple.*	*W. Lewis.*	*Ro. Wallop.*

Vera Copia Ex. W. Rowe, Secr.

Novemb. 15. 1646.

WE find in the Instructions delivered in by you unto us, That you are to declare unto us, and the rest that signed the Instructions to Sir *Gerard Lowther*, &c. That the Parl. will take into their Care and Protection the Protestants of *Ireland*. We desire to know, whether by these Words, *viz.* [That the Parl. will take into their Care and Protection the Protestants of *Ireland*] All the Protestants of *Ireland* are to enjoy their Laws, Liberties, Estates and Imployments, without Molestation or Disturbance from the Parliament of *England*.

ORMOND.

Novemb. 15. 1646.

WE find by the Instructions delivered in by you unto us, these Words, *viz.* If the Lord of *Ormond* do within four Days deliver up the Sword, render all the Garrisons and other Commands to the Pleasure of the Parliament, then, &c. We desire to know when the said four Days shall be understood to begin, and to what Person or Persons, and to whose Use the said Sword, Garrisons, and other Commands, are desired to be delivered up, or rendred?

ORMOND.

Novemb. 15. 1646.

TO your Lordship's first Paper of the 15. of *November*, we return this Answer; That we are required by the Paper of Instructions delivered to your Lordship, to declare to your Lordship, the E. of *Roscomon*, and the rest that signed the Instructions to Sir *Gerard Lowther*, &c. That the Parliament will take into their Care and Protection the Protestants of *Ireland*: But desire to be excused from giving a particular Explanation of those Words in that Paper, being not directed so to do, yet conceive there ought to be no doubt of a fair Interpretation thereof.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Ri. Salwey.*

Novemb. 15. 1646.

ALthough we question not a fair Interpretation, yet in Matters so highly importing the Safety and Subsistence of the Protestants of this Kingdom, we may not leave them to the Uncertainty of future Interpretation: And therefore we cannot rest satisfied without clearer Assurance in their Behalf, than we find either in the Instructions delivered unto us by you this Day, (whereof we desire an Explanation) or the Answer given by you to our first Paper.

ORMOND.

15. *Novemb.* 1646.

TO your Lordship's second Paper of the 15. of *November*, we return this Answer: That the four Days appointed for the Treaty with your Lordship (within which Time we are to bring our Debates to a Conclusion) we understand did begin this 15. of *Novemb*, 1646. at nine in the Morning And we who are appointed Commissioners by Authority from the Parliament of *England*, are to receive from your Lordship (if the Treaty succeed) the Sword and Garrisons under your Command, for the Use of the Parliament of *England*, in Order to the Preservation of the Protestants in the Kingdom of *Ireland.*

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

15. *Novem.* 1646.

WE desire to know, whether your Lordship rests satisfied in all the Particulars of the Paper of Instructions delivered to you by us this Day, saving that which concerns the Protestants, as is expressed in your Lordship's third Paper?

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

November 15. 1646.

WE hold it not fit to declare our Sense concerning the Particulars of the Paper of Instructions delivered by you to us, which concern our self, until Assurance be first given for the Safety and Subsistence of the Protestants of this Kingdom, which we desire may be hastened, for the bringing of this Treaty to a speedy and good Conclusion.

ORMOND.

November 15. 1646.

FOrasmuch as your Lordship in your third Paper of the fifteenth of this Instant doth express; That you cannot rest satisfied without clearer Assurance on the Behalf of the Protestants of *Ireland*, than you find either in the

An. 1646. Instructions delivered to you by us this Day, or in our Answers to your Lordship touching the Explanation thereof, as was in your first Paper desired. And whereas your Lordship in your fourth, in Answer to our third hath signified, that you hold it not fit to declare your Sense concerning the Particulars of the Paper of Instructions which concern your self, until Assurance be first given for the Safety and Subsistance of the Protestants of the Kingdom of *Ireland*; to the End nothing may be wanting on our Parts, to bring this Treaty to a speedy and happy Conclusion, we hold it fit to declare, That by an additional Instruction (which we might not sooner impart) we are enabled to give to such Protestants (not having been in the *Irish* Rebellion) as we condition withal, Assurance of Security to their Persons, and to their Estates and Goods, that they have in *Ireland*, and that they may live quietly and securely under the Protection of the Parliament, and their Forces, either within *England*, *Ireland*, or *Wales*, and that they shall enjoy those their Estates and Goods, without any Molestation or Question from the Parliament, as any others do, who have not offended the Parliament, they submitting to all Ordinances of Parliament; and if any of them have any Lands or Estates in *England*, they are to compound for the same at the Rate of two Years Profit, as they were before the Beginning of these Troubles, They submitting to all Ordinances of Parliament.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

November 15. 1646.

BEfore we make Answer to your fourth Paper of the fifteenth of *November*, we hold it needful to have an authentick Copy of the additional Instruction therein mentioned, being for the Security of the Protestant-Subjects of this Kingdom, and we desire authentick Copies of such other additional Instructions as you have, in Regard your Commission is limited by, and hath Relation to your Instructions.

ORMOND.

November 16. 1646.

TO your Lordship's fifth Paper of the fifteenth of *November*, we return this Answer, That to the End nothing may be wanting on our Parts, conducing to the Security of the Protestants of *Ireland*, according to the Instructions given us by Authority of Parliament; and that we may accordingly put a speedy Conclusion to this Treaty, we do for your Lordship's more ample Satisfaction, (though we hold not our selves obliged thereunto) herewith freely deliver your Lordship an authentick Copy of the additional Instructions: But we must desire to be excused from giving any further Answer to the said Paper, until we receive your Lordship's positive Answer upon the Papers already given in, hoping it will be believed, That as we have not hitherto, so we shall not for the future offer any Thing, unto which we are not warranted by our Instructions.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

The additional Instruction concerning the Protestants of *Ireland*.

YOU, or any three of you, may give to such Protestants, (not having been in the Irish *Rebellion) as you condition withal, Assurance of Security to their Persons, and to their Estates and Goods, that they have in* Ireland; *and that they may live quietly and securely under the Protection of the Parliament, and their Forces, either within* England, Ireland, *or* Wales: *And you may likewise assure them, that they shall enjoy those their Estates and Goods without any Molestation, or Question from the Parliament, as any others do, who have not offended the Parliament: They submitting to all Ordinances of Parliament. And if any of them*

them have any Lands or Estates in England, *they are to compound for the same, at the Rate of two Years profit, as they were before the Beginning of these Troubles, They submitting to all Ordinances of Parliament.*

Derby-House, *Octob.* 17, 1646.

Northumberland.	E. Manchester.	P. Lisle	P. Wharton.
W. Pierpoint.	Denzil Hollis.	W. Waller.	P. Stapleton.
W. Armyne.	Wil. Lewis.	J. Temple.	R. Wallop.

Copia vera exam. W. Row. *Secret.*

Dublin, Novemb. 16. 1646.

WHereas we have been informed, that the Armies of the Rebels lye near this City, and may probably make some speedy Attempt upon the same: We hold it our Duty for the Preservation thereof, and of the Protestants therein, to declare, that if your Lordship apprehend such Danger to be, and that any Supplies of Men and Ammunition which we have brought with us, may prevent the same; We are ready to give all such Assistance, as may be thought expedient, during the Time the present Treaty continues with your Lordship, and are willing to give such Caution as may be expected from us, That no other Use shall be made of the same, than is herein expressed, and shall expect the like from your Lordship. As also, that such Men and Ammunition as we shall bring a-shore for the Purposes aforesaid, be (if the Treaty succeed not) returned us back again.

Rob. Meredith. Tho. Wharton. Rob. King.
John Clotworthy. Ri. Salwey.

November 16. 1646.

UPON Consideration had of your fourth Paper of the fifteenth of this Month, and the first Paper of the sixteenth of this Month, and the Copy of the additional Instruction sent unto us therewith, before we can deliver any positive Answer to your Papers, we hold it necessary to be satisfied in the following Particulars.

First, Whereas you express in that Paper of the fifteenth, as followeth, *viz.* We are enabled to give to such Protestants not having been in the *Irish* Rebellion, as we condition withal, Assurance of Security to their Persons, and their Estates and Goods, that they have in *Ireland*: We desire you to declare whether those Words, *viz.* [such Protestants not having been in the *Irish* Rebellion] you intend to exempt those Protestants, or any of them, who have had a Hand in making the Cessation, or the late Peace, or who have done any Thing by Occasion, or in Pursuance thereof.

Secondly, Whether by these Words, *viz.* we are enabled to give such Protestants as we condition withal, Assurance; you intend that every particular Protestant shall come, and make his Conditions with you; or whether all the Protestants of this Kingdom, are not to be included within the present Treaty, and to partake of the Agreement which shall be made.

Thirdly, Whether by those Words, Submitting to Ordinances of Parliament, it be intended that they shall submit to all, and every the Ordinances already made, and which hereafter shall be made by the Parliament of *England*.

Fourthly, We find nothing in the Commission, nor in any of the Instructions delivered by you to us, for the Continuance of the Judges and Ministers of the Civil List, and Officers of the Martial List in their respective Imployments, nor any Answer given by you unto us in any of your Papers unto that Particular, and herein we desire to be satisfied, as a Matter wherein their Being and Livelihood doth depend.

ORMOND.

An. 1646

November 16. 1646.

TO the first and second Particular of your Lordship's first Paper of the 16. *November*, we answer, That we shall not exempt any Protestants of *Ireland*, though they have of late consented or submitted either to the Cessation of Arms, or the Peace concluded with the *Irish* Rebels, so as they submit to the Parliament within twenty Days after our sending to them.

To the third Particular, your Lordship hath an authentick Copy of the Instruction, wherein those Words [Submitting to all Ordinance of Parliament] are expressed, of which we have no Explanation.

To the fourth Particular, concerning the Continuation or displacing of the Judges and Ministers of the Civil List in their Employments, we are not instructed therein; but for the Officers of the Martial List, we have Power by our Instructions, and do intend accordingly to employ such of them as shall be found fit for the Service.

Having thus endeavoured to give your Lordship all possible Satisfaction, we do again desire your Lordship's positive Answer to our Papers formerly given in, it being too manifest, how great Mischief may befal the Protestants of this Kingdom, and the Service with which we are entrusted, should not our Debates be brought to a speedy Conclusion.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

November 16. 1646.

WE are not satisfied with your Answer to our first Paper, of the 16. of *Novemb.* to which we take these following Exceptions for the present.

First, We desired by our said Paper to know of you, whether you intended to exempt the Protestants, or any of them, who have had a Hand in making the Cessation, or late Peace, *&c.* to which you make this Answer.

That you will not exempt any Protestants of *Ireland*, though they have of late consented, or submitted, either to the Cessation or the Peace concluded with the *Irish* Rebels, so as they submit to the Parliament within twenty Days after your sending unto them; within which Words, no Provision is made either for those who had a Hand in the making thereof, or did upon the first making thereof submit thereunto. And besides no Provision is made for any, but such as you shall send unto, so that it will rest in your Power, to whom you will send, and when; wherein there is no Certainty.

Secondly, We desired by our said Paper, to know of you whether you intended that every particular Protestant shall come and make his Conditions with you; or whether all the Protestants of this Kingdom are not to be included within the present Treaty, and to partake of the Agreement to be made, to which no clear Answer is given.

And whereas you desire our positive Answer to your Papers formerly given, it being, as you say, too manifest how great Mischief may befal the Protestants of this Kingdom, and the Service with which you are entrusted, if your Debates should not be brought to a speedy Conclusion. We desire you for the same Reasons to set down fully and clearly how far the Propositions which we sent to the Parliament by our Commissioners are assented unto; and upon View and Consideration thereof, we shall speedily give our positive Answer.

ORMOND.

November 17. 1646.

IN Answer to your Lordship's second Paper of the 16. of *November*, and for clearing (so far as possibly lies in us) the Exceptions therein taken to our Answer unto your Lordship's first Paper of the same Date; We herewith deliver all the Instructions which we have received, that do (as we conceive)

conceive) in any kind whatsoever, relate thereunto; and if yet there shall remain with your Lordship any doubt concerning those Particulars, we shall represent the same (if the Treaty do succeed) to those that imployed us with the best Advantage for the Protestants of this Kingdom. Further Satisfaction than this, we suppose cannot be expected from us.

As to the other part of your Lordship's Paper, wherein you would have us set down fully and clearly, how far the Propositions which you sent to the Parliament by your Commissioners, are assented unto, we cannot answer your Lordship's Desire therein, neither those Propositions, nor Copies of them being delivered unto us.

We therefore earnestly desire your Lordship to accept of the Conditions offered in our former Papers, and to give us a speedy Resolution therein.

Rob. Meredith. Tho. Wharton. Rob. King.
John Clotworthy. Rich. Salwey.

Instructions for Sir *Thomas Wharton*, Sir *Robert King*, Sir *John Clotworthy*, and Sir *Rob. Meredith* Knights, and *Richard Salwey* Esquire, imployed to the Lord of *Ormond*, and others at *Dublin.*

YOU may receive any Protestant who hath not been in the Irish *Rebellion, though he hath of late consented, or submitted, either to the Cessation of Arms, or the Peace concluded with the* Irish *Rebels, so as they submit to the Parliament within twenty Days after your sending for them.*

You, or any three of you, have Power hereby to give Protection to such as will come under Contribution, and to give them the best Safeguard you can, by the Countenance of the Forces serving under the Parliament.

You, or any three of you, may give to such Protestants (not having been in the Irish *Rebellion) as you condition withal, Assurance of Security to their Persons, and to their Estates and Goods, that they have in* Ireland, *and that they may live quietly and securely under the Protection of the Parliament, and their Forces, either within* England, Ireland, *or* Wales; *and you may likewise assure them, that they shall enjoy those their Estates and Goods, without any Molestation or Question from the Parliament, as any others do, who have not offended the Parliament, they submitting to all Ordinances of Parliament; and if any of them have any Lands or Estates in* England, *they are to compound for the same at the rate of two Years Profit, as they were before the Beginning of these Troubles, they submitting to all Ordinances of Parliament.*

Darby House, Octob. 17. 1646.

Northumberland. Manchester. P. Lisle. P. Wharton
W. Pierpoint. Denz. Hollis. W. Lewis. W. Armine.
W. Waller. P. Stapleton. J. Temple. Ro. Wallop.

November 17. 1646.

IN your Third Paper of the 16 of *November*, are these Words, *viz.* That for the Officers of the Martial List, we have Power by our Instructions, and do intend accordingly to imploy such of them as shall be found fit for the Service. A Copy of which Instructions we desire, that we may the better judge how far the Security and future Subsistence of the said Officers is thereby provided for.

ORMOND.

November 17. 1646.

IN Answer to your Lordship's first Paper of the 17. of this Month, we herein deliver a Copy of the Instructions therein desired.

Rob. Meredith. Tho. Wharton. Rob. King.
John Clotworthy. Rich. Salwey.

An. 1646.

YOU, or any three of you, are to imploy such of the Officers now under the Lord of Ormond, *as you shall think fit; and where you displace any, you are to place other Officers, if they be necessary; or otherwise to see their Commands sufficiently discharged, until the Lord Lieutenant of* Ireland *take further Order.*

Copia vera, Exam. Signed as the rest of the Instructions.
W. Rowe, Secr.

November 17. 1646.

BY our second Paper of the 16. of *November*, we desired you for the bringing of the present Debates to a speedy Conclusion, to set down fully and clearly, how far the Propositions, which we sent to the Parliament by our Commissioners, are assented unto; and we did by our said Paper declare, that upon View and Consideration thereof we would speedily give our positive Answer; to which by your first Paper of the 17. of *November* you say, that you cannot answer our Desire therein, neither those Propositions nor Copies of them being delivered unto you. We think fit to declare unto you, that our Commissioners delivered our Propositions and Instructions to the Committee of both Houses, and that they took Copies thereof, and that our Commissioners do by their Letters of the 16. of *October* 1646. certifie us by the Command of the said Committee, that with the Succours, there would also arrive here certain Commissioners to be sent from the Parliament to treat with us, upon the Particulars contained in the Propositions and Instructions sent to the Parliament from us; Copies of which Propositions and Instructions we are ready to send unto you, if that you shall desire the same. And we again desire you to declare fully and clearly how far you have Power, and will assent to our said Propositions, or whether we shall give our positive Answer to the Papers already delivered by you, taking it for granted that you have no other Instructions, than what you have delivered us.

ORMOND.

November 17. 1646.

TO your Lordship's second Paper of the 17. of *November*, (wherein you again desire us to declare fully and clearly, how far we have Power, and will assent to the Propositions sent to the Parliament by your Commissioners) we can return no other Answer than we have already done in our two first Papers of the 16. and 17. of *November*, in the latter of which we declare, we have not those Propositions nor Copies of them, nor we think it expedient upon this Occasion to receive the same from your Lordship, yet we desire the want of those Propositions may not be conceived the only Reason of our forbearance of giving further Answer to your Lordship's Paper; but hold it our Duty to insist upon your Lordship's positive Answer to the Papers already given in.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

November 17. 1646.

IF you shall positively declare, that you have no Power or Instructions to enlarge your selves beyond what is expressed in your former Papers, we will then give a positive Answer to those Papers.

ORMOND.

November 17. 1646.

WE cannot more largely or positively express the Power and Extent of our Instructions, than we have already done, but do again in pursuance of our Instructions, desire your Lordship's Answer to the Papers given in.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

November 17. 1646.

WE did not by our third Paper of the 17. of *November*, desire to know whether you could more largely or positively express the Power and Intent of your Instructions, than you had formerly done: But we expressed, that if you would positively declare you had no Power or Instructions to enlarge your selves beyond what is expressed in your former Papers, we would then give a positive Answer to those Papers, which by your Answer thereunto you have neither affirmed nor denied; And therefore we forbear to give a positive Answer to your said Papers, till we be satisfied in that Particular.

ORMOND.

November 18. 1646.

HAving taken into Consideration your Lordship's last Paper of the 17. of *Novem.* we return you this Answer, That we hold it not fit positively to declare, whether we have any Power or Instruction to enlarge our selves beyond what is expressed in our former Papers, nor do we conceive it ought to be expected from us, for that (to omit other Reasons) we have frequently declared, that we are (according to our Instructions) to receive your Lordship's positive Answer upon the Papers already given in, which we now again desire from your Lordship.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Rich. Salwey.*

November 18. 1646.

IN the Copy of some of the Instructions delivered by you unto us, it is thus expressed, That if the Lord of *Ormond* do within 4 days deliver up the Sword, render up all the Garrisons, and other Commands to the Pleasure of the Parliament, then you, or any three of you are to give these ensuing Conditions, *&c.*

And in your second Paper of the 15. of *November*, 1646. you express your selves amongst other things, as followeth, *viz.* We, who are appointed Commissioners by Authority from the Parliament of *England*; are to receive from your Lordship (if the Treaty succeed) the Sword, and Garrisons under your Command, for the Use of the Parliament of *England*; To which, and your other Papers, before we can make Answer, we desire to know whether you have his Majesty's Direction and Command unto us, for our so doing.

ORMOND.

November 18. 1646.

TO your Lordship's first Paper of the 18. of this Month, we answer, that we have not his Majesty's Direction and Command unto your Lordship, for delivering up the Sword, rendring up all the Garrisons and Commands to the Pleasure of the Parliament.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

November 18. 1646.

THE Papers delivered by you unto us, whereunto you desire our positive Answer, gave Occasion unto us to take into Consideration, as well the Propositions and Instructions signed by us alone, and sent by our Commissioners to be presented to the Parliament of *England*, as also the Propositions and Instructions signed by us, and the Council of this Kingdom, and other Propositions and Instructions signed by the said Council a-part, and sent by our said Commissioners to be in like sort presented: All which Propositions and

An. 1646. and Instructions they delivered to the Committee of both Houses, appointed to consider thereof, who took Copies of the said Propositions and Instructions, Copies of which Propositions signed by us alone, we think fit to insert herein, *viz.*

Propositions of the Lord Lieutenant of *Ireland*, to be presented, *&c.*

That the said Lord Liutenant will prosecute the War against the Irish *Rebels, as vigorously as he shall be thereunto enabled by the Parliament of England, and that he will faithfully serve the Crown of* England *therein.*

2. *That whilst he hath the Government of this Kingdom, and the Command of the Armies therein, none of the Supplies of Men, Money, Arms, Munition, Victuals, or any other Provisions of what kind or nature soever, which shall by the PARLIAMENT of* ENGLAND *be sent over, or joined with the Forces already under his Command, nor any other Forces that shall be under his Command, shall in any wise be imployed either within this Kingdom, or out of it, but by the express Direction of the said Parliament of* England.

3. *That he will not upon any Command, or by Virtue of any Power or Authority whatsoever, enter into any Treaty with the said* Irish *Rebels, or conclude any Peace or Cessation with them without the Consent and express Command of the King and Parliament of* England.

4. *He will ingage himself to the true Performance of all these things by Oath, or by any other Means that can be proposed to a Man of Honour and Conscience.*

Septemb. 26. 1646. ORMOND.

Now forasmuch, as we do not find by our Papers, that any one of the said Propositions, which have been transmitted from hence, is assented unto by the Parliament of *England*, though we have pressed you by several Papers, to know how far they were assented unto; and for that it appeareth unto us by those Papers, that no Copies of the said Propositions or Instructions were delivered unto you, and that when we upon that Signification did offer unto you Copies of both, you did not think it expedient upon this Occasion to receive the same from us, and for that by the Papers and Copies of Instructions delivered by you unto us, we find no Security offered to any of the Protestants, but to such as you shall condition withal, and who shall submit to all Ordinances of Parliament, whereas we expected that all should be included and provided for, in and by the present Treaty, and what those Conditions or Ordinances of Parliament are, you do not ascertain by any of your Papers: And for that it doth not appear unto us by any the Instructions, whereof you have delivered Copies unto us, that you have Power to secure any other of his Majesty's Subjects, who have constantly adhered to the Government here since the 22. of *October*, 1641, in their Persons and Estates. And for that the Officers of his Majesty's Army here, and the Judges and Ministers of the Civil List, have no Assurance given them for their continuance in their respective Imployments, your Expression as unto them being as followeth, *viz.* Concerning the continuation and displacing of the Judges and Ministers of the Civil List in their Imployments, we are not instructed therein; but for the Officers of the Martial List, we have power by our Instructions, and do intend accordingly to employ such of them as shall be found fit for the Service; which giveth no Assurance unto any one of the Martial List, and leaveth the Civil List without any Security, and taketh no Notice of the poor distressed Clergy of the Kingdom. In all which Particulars (being contained in our Propositions and Instructions) we did hope that the Parliament of *England* would have given us Satisfaction; which being not yet done, for any thing made known by you to us, and for that you have by your Paper of the 18. of *November* 1646. declared unto us, that you have not his Majesty's Direction and Command unto us, for delivering up the Sword, rendring up all the Garrisons and Commands to the Pleasure of the Parliament; which you by your second Paper of the 15. of *Nov.* 1646. desire to be rendred unto you, to the Use of the Parliament; without

any

any Relation in your said Paper to the King, we hold it not consistent with our Duty to his Majesty, to part with so great a Trust committed to our Charge, in manner as by your Papers is desired, without his Majesty's express and positive Directions, and therefore may not assent thereunto. 22 Caroli.

ORMOND.

November 18. 1646.

WHereas we did, together with our first Paper of the 16th of *November*, deliver in to your Lordship an Authentick Copy of the additional Instruction concerning the Protestants of *Ireland*, unto which your Lordship hath taken several Exceptions; we think good for your Satisfaction therein, now to declare, that we intend that all Protestants whatsoever of the Kingdom of *Ireland* (not having been in the *Irish* Rebellion) shall be included in this Treaty, and receive the full Benefit exprest in the said Instruction: And that the Conditions implyed in that Instruction to be imposed on them, shall be understood, as followeth, *viz.* Whereas it is said, they shall enjoy those their Estates and Goods without any Molestation or Question from the Parliament, as any others do, who have not offended the Parliament, they submitting to all Ordinances of Parliament. By all Ordinances of Parliament, we only intend such Ordinances (whether already made, or to be made) as all others do submit unto, who never offended the Parliament; And whereas Liberty is given to compound for such Estates, as any of them shall have in *England*, they submitting to all Ordinances of Parliament. By all Ordinances of Parliament we intend, only such as all Persons now compounding in *England* do submit unto, provided that all those that are thus admitted to their Composition do effectually prosecute the same within six Months after the publication of these Articles.

And whereas in the fourth Article of the first Paper delivered in to your Lordship, offer is made of 5000 *l.* in Money, and 2000 *l. per annum*, to be paid your Lordship in manner as is expressed in the said Article, we now hold it fit to declare, that if it shall be more to your Lordship's Satisfaction and Content, we have Power given us, and shall accordingly grant, what you desired in the sixth Article of your Lordship's additional Instructions sent to the Parliament, according as is in the Paper herewith delivered in, expressed.

And we lastly hold it fit to make known unto your Lordship, that Power is also given to us, to agree for Allowances to be paid to other Persons, by constant Pension during the War of *Ireland*, not exceeding the Sum of 2000 *l. per annum*, which Pensions are to continue, till they can receive the like Benefit by their own Estates.

We do now particularly declare to your Lordship (and sooner according to our Instructions we could not) that we have no Power to enlarge our selves, beyond what we have expressed. And do therefore now again, intreat your Lordship's positive Answer upon the whole, which we must the rather desire may be expedited, for that we are (according to our Instructions) to bring our Debates to a Conclusion within four Days at the furthest, after the Beginning of the Treaty, which will end to morrow at nine of the Clock in the Morning, and we have no Authority to prolong the same.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Rich. Salwey.*

A Copy of the Paper mentioned in the former.

SIxthly, In regard that my whole Fortune is now in the Possession, or within the Power of the Rebels, so as I can make no manner of Use of it; As also for that I have not only at my own Charge, in some sort, maintained the Honour and Dignity of my Place, since the 21. of *Jan.* 1643, which was the Day whereon I was sworn his Majesty's Lieutenant, but likewise contributed in a considerable Portion to the maintenance of the Army and Garrisons now under my Command. And lastly, for that by means thereof, I am utterly unable to discharge the Debts I have contracted for my own Support, whilst

An. 1646. whilst I imployed my own to feed the Army, or to pay the Wages due to the Servants, which I was necessitated to entertain, in respect of the Place I held: For these Reasons, I desire it may be humbly offered to the Nobleness and Honour of the Parliament, That to free me from the Clamour of Creditors, to pay my Servants their Wages, and to transport and maintain my Self and my Family, in some sort befitting the Condition of a Gentleman, the Parliament will be pleased to disburse the Sum of 13000*l.* 877*l.* 14*s.* 9*d.* be paid to such as I shall appoint upon Bills of Exchange accepted by sufficient Men in *France*, or *Holland*, to wit, the one half upon sight, and at six Months the other half thereof, which is less than the just Sum I have disbursed for the Maintenance of the Garrisons of *Dublin*, *Dundalke*, *Newry*, *Narrow-Water*, *Green-Castle*, and *Carlingford*, not accompting my own Expence, nor the many other smaller Disbursements spent meerly for the good of the said Garrisons; And that I may be secured against any Molestation, by Reason of the Engagements I have at any time entred into, for the publick Service, since the Beginning of this Rebellion.

November 19. 1646.

UPON Consideration had of your third Paper of the 18. of *Nov.* as also of your former Papers, and the Copies of such Instructions, as you delivered unto us, we find no Satisfaction given by you in these following Particulars.

First, We do not find that you have Power to secure any of his Majesty's Roman Catholick Subjects in their Persons and Estates, who have constantly adhered to the Government here, since the 22. of *October*, 1641, of whom we conceive Care ought to be had in the present Treaty.

Secondly, You have declared unto us, that you have no Instruction concerning the continuation or displacing of the Judges, and Ministers of the Civil List in their Imployment, and your Instruction as unto the Martial List (whereof you gave us a Copy) is as followeth, *viz.* You, or any three of you, are to imploy such of the Officers now under the Lord of *Ormond*, as you shall think fit, and where you displace any, you are to place other Officers, if they be necessary, or otherwise to see their Commands sufficiently discharged, until the Lord Lieutenant of *Ireland* taketh further Order; which may give more Occasion of Fear unto the Officers of being displaced, than Hope of Continuance in their respective Imployments, and there is not as much as mention made of the Poor distressed Clergy of the Kingdom, in any the Papers or Instructions delivered to you by us.

Thirdly, The Protestants of the Kingdom, who are to be included in the present Treaty, are, as you declare in the last Paper delivered by you to us, to submit themselves to all Ordinances of Parl. whether already made, or to be made; amongst which (as we are informed) are some which require the Covenant to be generally taken, and others which lay Mulcts upon those who shall use the Book of Common-Prayer, which Form of Service, and no other, is by a Law of Force in this Kingdom, commanded upon a Penalty to be used; and in our Instructions sent by our Commissioners, we desire that neither the one nor the other might be pressed until Settlement by Parliament.

And for us to agree upon this Treaty to all future Ordinances, which shall be made by the Parliament, before it be known what those Ordinances are, we conceive may be of dangerous Consequence to the whole Kingdom, and not agreeable with the Rules of Prudence in us.

Fourthly, Whereas by a special Instruction signed by us apart, we did direct our said Commissioners as followeth, *viz.* If you find the Parl. ready and willing forthwith effectually to take into their Care and Protection his Majesty's Protestant Subjects within the Quarters under my Command, and those that have adhered to them from the 22. of *October*, 1641. according to the purport of the Instructions signed by me and the Council, and that my Continuance in the Government, shall be the only Let thereunto, you are then in such Case to let them know, that I will surrender my place of Lieutenant, and deliver all the Holds in my Power, to such as the Parliament shall appoint, upon these Conditions.

First

First, That they procure his Majesty's Directions for the doing thereof, *&c.* which was the first and fundamental Condition of all that was propounded by us upon this Overture, which was to be Precedent, and without which, nothing as unto the delivery up of the Government was to be expected from us. 22 *Caroli.*

Upon Consideration of all which, and of the Oath taken by us, upon our first Entrance into this great Trust reposed in us, the Tenor whereof doth ensue in these Words, *viz.*

You shall swear, that you shall faithfully and truly to your Power serve our Sovereign Lord the King's Majesty, in the Room and Authority of Lord Lieutenant, and chief Governour of this his Realm of *Ireland*; You shall maintain and defend the Laws of God and the Christian Faith; You shall to your Power, not only keep his Majesty's Peace amongst his People, but also maintain his Officers and Ministers in the Execution and Administration of Justice; You shall defend his Majesty's Castles, Garrisons, Dominions, People, and Subjects of this Realm, and repress his Rebels and Enemies; You shall not consent to the Damage, and Disherizon of his Majesty his Heirs nor Successors, neither shall you suffer the Right of the Crown to be destroyed by any way, but shall let it to your Power; and if you cannot let the same, you shall certifie his Majesty clearly and expresly thereof; You shall give your true and faithful Advice for the King's Majesty's Profit, and his Highness's Council; You shall conceal and keep all other things for the Preservation of his Majesty's Realm of *Ireland*, the Peace amongst his People, and Execution of his Justice, according to his Majesty's Laws, Usages and Customs of this his Highness's Realm, You shall perform, and do to your Power: So God you help, and by the Contents of this Book.

And for that our Commissioners have by their Letters certified us, that they were commanded by the Committee of both Houses to forbear the delivering unto the *Scotish* Commissioners the Duplicate of the Letters, which we and the Council had written to his Majesty, and delivered to our Commissioners, advertising his Majesty thereby of our Address to the Parliament, with Direction to deliver them to the *Scotish* Commissioners to be sent to the King, until the Pleasure of the two Houses should be made known; which Restraint, doth as yet for any thing made known unto us, lye still upon them.

And for that if we should deliver up the Sword in manner as is desired, the present Parl. of this Kingdom (which is we hope of the remaining Protestants here) would be at an End; for all which Reasons, we may not part with the Trust committed to our Charge, in manner as by your Papers is desired, without his Majesty's express and positive Direction, and therefore may not assent thereunto.

ORMOND.

November 19. 1646.

IF your Lordship continue unsatisfied concerning the Papers already delivered in, or any of them, as is implied by the Exceptions taken thereunto, and expressed in your last Paper of the 18. of *November*, we are ready to offer such Considerations to your Lordship by way of Answer thereunto, as we hope, may give your Lordship Satisfaction therein; and this we desire may be done by Conference, if your Lordship shall think fit, for that the shortness of Time will not give Opportunity to commit it to Writing.

Rob. Meredith. Tho. Wharton. Rob. King.
Jo. Clotworthy. Rich. Salwey.

November 19. 1646.

ALthough the Conference desired by you in your Paper of this Day's Date was within half an Hour of the Expiration of the Time limited for this Treaty: And although you have positively declared in your third Paper of the 18. of *November* 1646, That you have no Power to enlarge your selves, or the Time beyond what you have expressed, yet to manifest to the World, how

An. 1646. how desirous we are to receive Satisfaction in those necessary Exceptions by us taken to your Papers given in upon this Treaty, which may bring the same to a happy Conclusion, we are ready to entertain the Conference desired by your said first Paper of this Day's Date.

ORMOND.

November 19. 1646.

WHereas we received a large Paper from your Lordship of the 18. of *November*, wherein you declared you could not assent to deliver up the Sword, render all the Garrisons, and other Commands to the Pleasure of the Parliament, as was desired by us in Papers formerly given in to your Lordship, together with your particular Exceptions to the same.

And whereas, we did immediately thereupon offer unto your Lordship such further Conditions to the former, as we were instructed unto for your more ample Satisfaction in complying with the Desires of the Parliament, in Order to the Preservation of the Protestants of the Kingdom of *Ireland*.

And whereas your Lordship signified to us, that it then being late, and the Paper given in by us of great Importance, you would return Answer thereunto the next Morning.

And whereas, we did this Morning deliver to your Lordship a Paper, declaring, That if your Lordship continued unsatisfied concerning the Papers by us given in, or any of them, as was expressed by the Exceptions taken thereunto, we were ready to offer such Considerations to your Lordship as we hoped might give Satisfaction, which we desired might be done by Conference, for that the shortness of Time would not permit it in Writing

And having received another Paper from your Lordship of the 19. of *November*, containing your Refusal to deliver up the Sword, &c. upon the Conditions offered in our first and later Papers, your Lordship did signifie by your second Paper of the 19, That you were ready to hear what we could further offer by way of Conference, as was desired; which was by us performed accordingly.

We do therefore now desire to know, if your Lordship do still insist upon your refusal, on the Grounds expressed in your Papers. And if so, we make known to your Lordship, that we shall for our own Exoneration, commit to Writing the Sum of what we delivered in Conference, and give your Lordship a Copy thereof; to the End, the Uprightness of our proceeding in the Transaction of this Treaty with your Lordship may in all Things appear, although that happy Success, which we desired, be not attained thereby.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Rich. Salwey.*

November 19. 1646.

FOrasmuch as what was delivered upon the Conference, cannot be made use of by us, as binding unto you, unless it be reduced to Writing, and signed by you, which when you shall have reduced the same to Writing, and given us a Copy thereof signed by you; We shall then declare unto you, whether or no, we will rest satisfied therewith, or shall upon the whole Matter insist upon our Refusal.

ORMOND.

Dublin 20. *Novemb.* 1647.

Whereas upon *Thursday* Morning the 14 of *November*, in our Conference with your Lordship, we did endeavour to offer such Considerations, as might give Satisfaction to your Exceptions taken to our Papers given in; And whereas, we did at the same time also desire to know, whether or no your Lordship had received Satisfaction to all, or any of your said Exceptions, or whether you would still insist upon your Refusal, whereupon your Lordship by your third Paper of the 19. of *November*, returned answer, That what was delivered upon the Conference cannot be made use of by your Lordship, as binding unto us; unless it be reduced to Writing, and signed by us, and that when

when we shall have reduced the same to Writing, and given you a Copy thereof signed by us, your Lordship will then declare unto us, whether or no you will rest satisfied therewith, or shall upon the whole matter insist upon your refusal. We have therefore accordingly exprest in Writing the Sum of what was delivered in Conference, which we offer to your Lordship as followeth. 22 *Caroli.*

Your Lordship's first Exception is,

Except. 1. *That none of the Propositions (of the first Way of Overture) which were transmitted by your Lordship to the Parliament are assented unto.*

To which we Answer,

Answ. 1. That an Ordinance of Parliament of the 15. of *October*, 1646. Containing the Declaration of both Houses to proceed upon the second Way of Overture made by your Lordship, was by us delivered to your Lordship.

2. That Declaration was made by the Parliament, before such time as Sir *Francis Willoughby* returned from *London*, from whom your Lordship might be informed thereof.

3. Your Lordship presuming (before your Commissioners came from *London*) that the Parliament might not accept of those Propositions, did by Additional Instructions, declare, you would not insist thereupon, and accordingly gave them liberty to recede from the same, and to propound a second Way of Overture, which the Parliament did proceed upon, and appointed a Way of treating with you; of which, your Commissioners did advertise your Lordship, by Direction of the Committee of Parliament, appointed to consider of the said Propositions. And,

4. If your Lordship observe, how far that second Way of Overture is accepted and granted by the Parliament in the Proposition by us given in; you may happily find, not only full and positive Satisfaction to the most of what your Lordship asked, but in some Particulars also, more ample Offers made, than was by your Lordship desired therein; which when the World shall consider, together with the Grounds and Principles held forth by your Lordship (inviting the Dispatch of Supplies to this Place) we are confident, the Parliament will be abundantly justified therein: Yet over and above all this, we continue to declare, that in every Particular we will go to the utmost Limits of our Instructions, and where any thing seems doubtful to your Lordship, or too short; we shall (if the Treaty succeed) represent it to those that imploy us, in the best manner we can for your Lordship's full Satisfaction. And this we desire may be applyed to every Exception taken by your Lordship.

Excep. 2. *That we have no Power to secure any of his Majesty's Roman Catholick Subjects in their Persons and Estates, who have constantly adhered to the Government here since the* 22. *of* October, 1641. *Of whom you conceive care ought to be had in the present Treaty.*

Answ. 1. Those that by Authority of Parliament gave Power to us to treat, did not, for ought we can perceive, take Cognizance of any of the Roman Catholicks of *Ireland*, that did adhere to the Government of this Kingdom against the *Irish* Rebels.

2. If any such be, it's probable the Number is not considerable; and if they have done nothing against the Parliament, they need not any special Security, but may expect as much as others, that have in like manner demeaned themselves, although they be of the Protestant Religion.

3. Power is given (as by an Instruction delivered in the 16. of *November* is exprest) to protect such as will come under Contribution, and to give them Safeguard by the Countenance of the Forces serving under the Parliament; According to which, they are to be protected in their Persons and Estates, as well from the Violence of the Souldiers under the Parliament, as of the Enemy; And this to be extended unto all, without Distinction of Offence, or Religion.

4. If any thing more can be reasonably offered, in the Behalf of such Papists as have adhered to the present Government, and not been in the *Irish* Rebellion;

An. 1646.

Rebellion; it ſhall be alſo recommended back by us to thoſe that imployed us, in the beſt manner we can for your Lordſhip's Satisfaction.

Except. 3. *That no Aſſurance is given, that the Judges and Miniſters of the Civil and Martial Liſt ſhall be continued in their Places and Employments*, &c.

Anſw. 1. Nothing is given us in Charge, nor hath any thing been expreſſed by us concerning the removal of the Judges, and Miniſters of the Civil Liſt, nor any of them.

2. In Caſes of like Nature, it hath not been known, that Perſons ſo qualified, have been continued and eſtabliſhed by Treaty, nor was it (to our knowledge) ever heretofore inſiſted on by any whomſoever.

3. If it muſt be preſumed that they have offended the Parliament, yet Aſſurance is given (and otherwiſe they can need none) for Security to their Perſons, with injoyment of their Goods and Eſtates in the Kingdom of *Ireland*, as if they had not offended, and have liberty to compound for their Eſtates, as any of them have in *England*, and ſuch Compoſition not to exceed two Years value.

Concerning the Officers of the Martial Liſt.

We anſwer,

Anſw. 1. We have expreſſed, That we will continue and imploy all ſuch Officers, whomſoever as ſhall be found fit for the Service: And as we have not hitherto taken up a Reſolution (if the Treaty ſhould ſucceed) to diſplace any, ſo we do Declare, That it muſt be an extraordinary Cauſe that ſhould induce us to it, and we underſtand the Words of our Inſtruction (*viz* You are to imploy ſuch of the Officers, *&c.*) doth ſo direct us, and therefore cannot give, as your Lordſhip expreſſeth, more Occaſion of Fear unto the Officers of being diſplaced, than Hope of continuance in their reſpective Imployments.

2. As we believe, no Preſident can be ſhown; ſo it is obvious, the Inconvenience would be very great, to article for, and eſtabliſh by Treaty, any Officers of the Military Liſt, though our Reſolution be to continue the ſame.

3. The ſame Aſſurance and Benefit, as is declared in our third Anſwer to your Lordſhip's Objections concerning the Civil Liſt, is alſo to be extended in like manner to the Officers of the Martial Liſt, according to our Inſtructions.

In which alſo, the Clergy of this Kingdom, mentioned by your Lordſhip, may reſpectively receive Advantage, concerning whom we are not inſtructed: Yet,

We deſire it may be remembred, that Power is given us to agree for Penſions, to ſuch as we ſhall think fit, to the Value of two thouſand Pounds *per annum*, which we are ready to aſcertain unto ſuch of the Civil and Martial Liſt, as alſo of the diſtreſſed Clergy, as ſhall be thought meet to extend it to, in ſuch way as may give beſt Satiſfaction, according to our Inſtruction.

Except. 4. *That great Inconveniency may happen to all the Proteſtants of* Ireland, *who are to be included in this Treaty, if they ſhould thereby conclude themſelves to ſubmit to all the Ordinances of Parliament.*

Anſw. 1. We have declared, *&c.* That their ſubmitting to all Ordinances of Parliament, is to be underſtood no otherwiſe than as all others do, who have always adhered to, and never offended the Parliament.

2. We know of no Ordinance of Parliament, that requires the Covenant to be taken in the Kingdom of *Ireland*.

3. We are no ways inſtructed to ſuppreſs the Book of Common-Prayer, or impoſe the Directory, though your Lordſhip repreſented in your own Inſtructions, that the Directory might be uſed here.

4. It may be alſo conſidered, That your Lordſhip made Overture of ſubmitting to the Direction of both Houſes of Parliament, (and that excluſively to any one whatſoever) as to the ordering and diſpoſing of the Army, *&c.* If they ſhould accept of your Overture, which could not be underſtood other-

wise to be done, but by Ordinances of Parliament, as to them from time to time should seem meet. | 22 *Caroli.*

Excep. 5. *Lastly, That the King's Direction for the Delivery up of the Government is not obtained, and that your Commissioners were commanded to forbear the delivering unto the* Scotch *Commissioner, the Duplicate of the Letters which your Lordship and the Council had written to his Majesty concerning the same.*

Answ. 1. We are very confident, what the Committee of both Houses did therein, was by Direction of the Parliament.

2. Your Commissioners did declare, that if Supplies were not instantly dispatched, you would take it for granted none would be sent, and therefore must be necessitated to think of some other Course for your Preservation, as by the Laws af God and Nature became you, and therefore it could not be imagined (the Necessity being so great, under which your Lordship then was, according to the Representation thereof made to the Parliament) that you would refuse such Supplies from the Parliament, in manner as they directed, till your Letter should be from thence sent to *Newcastle*, and an Answer thereof returned to your Lordship, which would not undoubtedly have taken up much more time, than the Extremity of your Condition here, according to the aforesaid Representation, could possibly admit of; And Information was given that an Address to the King was also made by your Lordship another Way, and we have not yet understood by your Lordship that he hath inhibited you to proceed and conclude with us.

But more especially we desire it may be considered by your Lordship that in your Letter to the King, (mentioned in your Exceptions) your Lordship's Expressions are full, to proceed with the Parliament upon the Overture made to them in the Propositions, not only without desiring Answer, but without expecting Consent or Direction from his Majesty before such time as you would conclude the same, and your Lordship doth only give an Account of your Resolutions, his Majesty unconsulted with, as already fixt with Expectation only of a benign Construction from his Majesty thereupon: And that not only from the Consideration of Necessity, but (as we conceive) of your Lordship's Duty also, as the Case then stood, (no less than a Kingdom lying at the Stake) to make your Application in such manner to the Parliament.

3. May it not also be considered, what Reason the Parliament had to conceive your Lordship intended, not so to insist on the King's Direction as without it you would not conclude, when they observed that by those Propositions from your Lordship, a Copy whereof you have delivered us, you offered (if they should accept thereof) to put your present Army and Forces, called by your Lordship his Majesty's Army, (Notwithstanding any Interest you apprehended the King had therein) under the sole Direction of both Houses of Parliament. And yet in those Propositions, we find no mention made of Consent or Direction to be first had from the King, which was believed your Lordship then, as at this time also, might the better do, for that by Act of Parliament, the managing of the War of *Ireland* is established in both Houses of Parliament alone.

4. It may be considered, that however many Cases of this Nature in the late Troubles in *England* have happened, where Persons under great Obligations to the King, have frequently surrendred to the Parliament, Garrisons and Forces, which they received by Command from his Majesty, as in particular that of *Oxford*, where remained not only the Duke of *York* and his Majesty's Council, but also the Sword, the great and lesser Seals, with other Ensigns of the Regal Power, (and all these) without first having any explicite Direction from the King to deliver up the same.

5. When we also consider how passionately it was represented to the Parliament by your Lordship, of how great Importance the City and Castle of *Dublin* (together with the Garrisons under your Command) were in Order to the Recovery of the Kingdom of *Ireland*, the Preservation of the Protestant Religion, together with all the Protestants therein, as also how undoubtedly all must miscarry, if Supplies did not timely come; We cannot but wonder, that in Case of so high Concernment, and so great Necessity (the

An. 1646. (the spilling of the Blood of so many thousand Protestants being unavoidable) according to the Grounds and Representations offered by your Lordship to the Parliament, the Danger whereof remains the same, for ought hath occurred to us, granted also by the loss of many Garrisons since, and will be perfected by your rejecting the Supplies (with so much Expedition and Charge sent hither by the Parliament) that yet the King' Consent should be so insisted on, as that neither the Preservation of the said Protestant Religion, nor the Blood of thousands of Protestants, nor any of the fore-mentioned Considerations should purchase a Dispensation therein.

6. And whereas your Lordships Oath is objected, It appears to us to be penn'd with special Caution and Relation to such a time of Necessity as this; and is rather (as we conceive) fulfilled by Consent to, than refusal of the Conditions offered to your Lordship, unto which also we believe that respect was had, when those Resolutions were taken up expressed in the fore-mentioned Letter to the King.

We hold it our Duty to deal thus clearly and freely with your Lordship, that (if it were possible) we might give Satisfaction thereby; However our Consciences do acquit us, that we have done our utmost therein, and do conceive that those that imployed us will be abundantly acquitted in the sight of God and Man, as having done what could be expected from them, and unto whom (for any neglect in this Affair) the Guilt of Blood we are confident shall not be imputed in that Day wherein Inquisition shall be made for the same.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

November, 1646.

WE have considered the Paper wherein you expressed the Sum of what was delivered by you in the Conference with us; to which we make return.

Our first Exception was, Not that none of the Propositions of the first way of Overture, which were transmitted by us to the Parliament, are assented unto, as in that Paper is expressed, but that none of the Propositions which were transmitted, whether you look to the first way of Overture, (as you are pleased to term it) or the second way of Overture, are assented unto. And to the End that this may be the better understood, we hold it necessary to declare, that some of the Propositions which were transmitted by us from hence, were signed by us a-part, wherein we did undertake the Prosecution of the War, as vigorously against the Rebels, as we should be thereunto (enabled by the Parliament; which Propositions are expressed at large in our second Paper of *November* 18. 1646. and these seem only to have relation to Our self.

There were other Propositions signed by Us and the Council, wherein not only Our self, but all others of this Kingdom, as well of the Soldiery, as others of his Majesties Protestant Subjects of this Kingdom, and their Adherents are respectively concerned, the said Propositions importing no less than the Preservation of them in their Persons, Estates, and Imployments.

And there were Instructions signed by us, and delivered to our Commissioners, authorizing them, that if they did find the Parl. willing and ready to take into their Care and Protection his Majesty's Subjects, within the Quarters now under our Command, and those that have adhered to them since the 22. of *October* 1641. according to the purport of the Instructions signed by us and the Council, and that our continuance in the Government should be the only let thereunto, that then our said Commissioners should let them know, that we would surrender our place of Lieutenant, and deliver up all the Holds in our Power, to such as the Parl. should appoint, upon certain Conditions, whereof the first and principal is, that they should procure his Majesty's Directions for our so doing, which Offer made by us, is in the Ordinance of Parl. delivered by you to us, and by you in your Paper of the 19. of *November* 1646. called our second Way of Overture, whereupon you say the Parliament did proceed, which you say, Sir *Francis Willoughby* upon his return from *London* might have informed us: That

Sir *F. Willoughby* might have told us we knew not; we are sure he did never tell us of the Resolution said by you to be taken by the Parl. for proceeding in that you call the second Way of Overture, nor did he bring with him (for ought known to us) any Copy of the Order of the 15. of *October*, declaring that Resolution, nor was it mentioned by our Commissioners in any of their Letters, though we received several, as well by the said Sir *Fran. Willoughby*, as by others, of Dates subsequent to the said Order. 22 *Caroli.*

But on the contrary, Sir *Garrard Lowther*, and Sir *Paul Davies*, did by their Letter of the 6. of *November*, after Sir *Fr. Willougby's* departure from *London*, certifie us, that Sir *Robert King*, and the rest, were sent hither to Treat with us (as they heard,) for surrendring *Dublin*, and other Places under Command, to which they were not called, but were altogether Strangers to their Transactions there concerning that Treaty, and that they did not know any thing of their Commission, Authority, or Instructions, or how far they extended.

But though the Parl. did lay hold of this called our second Way of Overture, yet the Propositions which were signed by us and the Council, wherein all his Majesty's Protestant Subjects of this Kingdom, as well of the Souldiery as others, and such as have adhered unto them, were a like concerned with us, were not to be passed over, for whether we did continue in the Government according to the first way of Overture, or part with it (termed by you the second Way of Overture,) it was our main Care and Desire, that they should be secured in their Persons, Estates, and Employments, which is not yet done to our Satisfaction.

And in that which concerneth our self, the principal thing, which is his Majesty's Direction and Allowance for the rendring up of the Government, which was to precede and warrant all that we did propound to be done by us herein, is yet wanting, which we desire you to represent to those who imployed you in the best manner you may.

Exception 2.

OUR second Exception is, that you have no Power to secure any of his Majesty's Roman Catholick Subjects in their Persons and Estates, who have constantly adhered to the Government here, since the 22. of *October* 1641. of whom we conceive care ought to be had in this present Treaty. To this you give these Answers.

First, That those who by Authority of Parl. gave Power to you to treat, did not take Cognizance of any of the Roman Catholicks in *Ireland*, that did adhere to the Government of this Kingdom, against the *Irish* Rebels; which Answer doth not satisfie us, but doth enforce the Exception, for their not taking Cognizance of them, is the Ground and Cause of the Exception.

Your second Answer is, That (if any such be) it is probable the Number is not considerable; And if they have done nothing against the Parl. they need not any special Security, but may expect as much as others, that have in like manner demeaned themselves, although they be of the Protestant Religion; which Answer doth not satisfie, but give us more cause to insist upon the Exception, because you say, it is probable that the Number of them is not considerable, whereas we who have been upon the Place know it to be otherwise both in Number and Quality of Persons.

And since his Majesty's Protestant Subjects, who have served against the Rebels here, and done nothing against the Parl. are offered to be secured in their Persons, and Estates, they may by the same Rule of Justice expect the like Assurance, and the greater Regard ought to be of them, for that their Religion being made the pretence of the Rebellion, they do notwithstanding adhere to his Majesty's Protestant Subjects against the Rebels, who are of that Religion.

Your third Answer, *viz.* Power is given (as by an Instruction delivered in the 16. of *November* is exprest) to protect such as will come under Contribution, and to give them Safeguard by the Countenance of the Forces serving under the Parl. according to which they are to be protected in their Persons, and Estates, as well from the Violence of the Soldiers under the Parliament, as of the Enemy, and this to be extended unto all, without Distinction of Offence or Religion; which Answer doth not satisfie us, for the said

An. 1646. Instruction looketh rather to the Rebels who are to be brought under Contribution, than to those who have continued good Subjects, and therein there is no Assurance given unto them for their Estates, as is in the same Instruction to his Majesty's Protestant Subjects for their Estates.

Your fourth Answer is, If any thing can be reasonably offered in the Behalf of such Papists, as have adhered to the present Government, and not been in the *Irish* Rebellion, it shall be also recommended back by you to those who imployed you, in the best manner you can to our Satisfaction; The latter part of which Answer, being the best part thereof, we desire may be pursued; for the first part thereof doth enforce the Exception, it being made a doubt whether any thing can be reasonably offered for such Papists as have adhered to the present Government, and not been in the *Irish* Rebellion, whereas nothing in Reason can be offered against such, but that they should be secured in their Persons and Estates.

Our third Exception is, That no Assurance is given, that the Judges and Ministers of the Civil and Martial List, shall be continued in their Places and Imployments, which is answered by you, as followeth.

First, Nothing is given us in Charge, nor hath any thing been expressed by us concerning the removal of the Judges and Ministers of the Civil List, nor any of them, which Answer doth not satisfie us: For we desire by our Proposition, to have an Assurance for the continuing them in their respective Imployments, which is not yet assented unto.

Your second Answer is, That in Cases of like Nature, it hath not been known, that Persons so qualified have been continued and established by Treaty, nor was it to your Knowledge, ever heretofore insisted upon by any whomsoever; which Answer doth not satisfie us, for though you might shew that the contrary hath been done in like Cases (as we believe you cannot) yet, even for that Cause, we have the more Reason to insist upon it.

Your third Answer is, If it must be presumed, that they have offended the Parliament, yet Assurance is given (and otherwise they can need none) for Security to their Persons, with enjoyment of their Goods and Estates in the Kingdom of *Ireland*, as if they had not offended, and have Liberty to compound for the Estates any of them have in *England*, and such Composition not to exceed two Years Value: We are not satisfied with this your Answer, for there is nothing here to assure them the Continuance in their Imployments, and our Proposition made in their Behalf for their Continuance in their Imployments, cannot presume a Guilt; and it is no Reason to say, that if they be not guilty, they need not desire this Assurance, for the Judges do well understand, that *abundans cautela non nocet*, and if it must be presumed that they have offended the Parliament, there is the more Reason to insist on the Proposition for the continuing of them in their respective Imployments, they having been dispoiled of all their Estates.

To your Expression whereby you would satisfie us concerning the continuing in Imployment the Officers now under our Command, *viz.* That as you have not yet taken up a Resolution (if the Treaty should succeed) to displace any: So you declare, it must be an extraordinary Cause that must induce you to it, we easily believe, that as it is too early for you to declare a Resolution to turn them out of their Imployments, (though such a Resolution were taken up by you) till you were possest of the Power to do it; so you may judge such a Declaration, not to be the readiest Way to attain to that Power by Treaty from us, which we are confident is the only Way whereby you will at this Time attempt it; but when by that Means you should be invested in that Power, the Question is, whether you would not then understand, that the Concurrence of some of the Martial List with us in the conclusion of the Cessations and Peace here, the actual Service of some others in his Majesty's Armies in *England*, and the Obedience given by all to some Commands, that may have been displeasing to the two Houses of Parliament in *England*, to be extraordinary and sufficient Causes for their removal; wherein, if you shall declare negatively, we shall rest satisfied as to that Particular, nor could our Demand of having them secured in their respective Imployments, be understood to reach to a Forgiveness of such Crimes in future as may merit displacing; for which we confess, we can no more alledge a President, than we believe you can, that ever the Sword was demanded to be delivered by the Chief Governour of this Kingdom, to Commissioners

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missioners of the Parliament of *England*, without the Command of the King.

Exception 4.

OUR fourth Exception being as followeth, *viz.* That great Inconvenience may happen to all the Protestants of *Ireland*, who are to be included in this Treaty, if they should thereby conclude themselves to submit to all Ordinances of Parliament, is answered by you as followeth.

Answer 1.

YOUR first Answer is, we have declared, that their submitting to all Ordinances of Parliament is to be understood, no otherwise than as all others do, who have always adhered to, and never offended the Parliament; with which Answer we are not satisfied, it being no more, than that we are to submit to all the Ordinances of Parliament; to which those who are of the Parliament Party submit, as the Covenant, the Directory, the abolishing of the Book of Common-Prayer, *&c.*

Answer 2.

YOUR second Answer is, we know of no Ordinance of Parliament that requireth the Covenant to be taken in the Kingdom of *Ireland*; with which Answer we are not satisfied, for we know that it hath been prest in all Parts of the Kingdom, where the Parliament hath prevailed, as in the Provinces of *Munster*, *Ulster*, and *Connaught*, there being some Ministers not long since employed into *Ulster*, who went from Town to Town, and from City to City, pressing the Covenant, whereupon many Protestants did acquit their Commands and Habitations in those Parts, rather than they would subject themselves to it; and if the same was done without an Ordinance of Parliament, we have the more Reason to insist, that his Majesty's Subjects may be secured against so violent and unwarranted Pressures upon their Consciences.

And if you know no Ordinances of Parliament which requireth the Covenant to be taken in the Kingdom of *Ireland*, you may the better undertake that it shall not be pressed; and if you be not instructed to suppress the Book of Common-Prayer, or impose the Directory, you may the better condescend to what is desired concerning both, so far as is expressed in our Instructions.

Answer 4.

YOUR fourth Answer is, It may also be considered that your Lordship made Overture of submitting to the Direction of both Houses of Parliament (and that exclusively to any other whatsoever) as to the ordering and disposing of the Army, *&c.* if they should accept of your Overture, which could not be understood otherwise to be done, but by Ordinances of Parliament, as to them from time to time should seem meet.

We are not satisfied with this your Answer, the Strength of your Reason being thus;

That we did submit to the Direction of both Houses of Parliament for the ordering of the Army, *&c.* therefore no Inconvenience can happen to the Protestants in *Ireland*, who are to be included in this Treaty, if they should thereby conclude themselves to submit to all Ordinances of the Parliament of *England*, which sure is no good Consequence, from one Particular to conclude a General; And if you would declare that by submitting to all Ordinances of Parliament, were only intended such Ordinances as concern the ordering and disposing of the Army, though that Offer of ours was, in case that way of Accommodation, which is waved by the Parliament, were laid hold of (of any thing wherein we therefore conceive no use should be made in this Treaty, since that way is laid aside) yet such a Declaration would, as to that Point give Satisfaction.

The fifth Exception is, That the King's Direction for the Delivery up of the

An. 1646. the Government is not obtained, and that our Commissioners were commanded to forbear the delivering unto the *Scotish* Commissioners, the Duplicate of the Letters, which we and the Council had written to his Majesty concerning the same; To which you make these Answers, *viz.*

That our Commissioners did declare, That if Supplies were not instantly dispatched, that we would take it for granted, that none would be sent, which was the Ground of hastning the said Supplies; whereas the Words of our Instructions were, That if within a reasonable time after Landing of our Commissioners, they did not advertise us, that those things we desired were on the way hither, or at least a considerable Proportion of Money and Munition, and probable hope of the rest speedily after, that then we would take it for granted, not that no Supplies would come, but that our Propositions were rejected there; which strongly implyed, and so was intended, that if we understood Supplies were on the Way, we might then take it for granted, our Propositions were accepted, which also we had cause to believe, for that our Commissioners by command of the Committee, before whom they were heard, signified to us, their Message was chearfully accepted, whereof the sending of Supplies was but a part; nor can it be reasonably objected to us, that we refuse those Supplies, since none of the Conditions wherein we expressed our willingness to receive them, is offered to us in manner as was desired, especially that fundamental one, of procuring the King's Command for delivering up the Sword, and Garrisons, which being the Way fixed on by the Parliament, we much wonder, was not endeavoured (as well it might have been, and an Answer had) before you came from *London*; and if it had been obtained, there had been no need of sending it to us till your arrival; and if it had been refused, the Parliament in their great Wisdom and Knowledge of the Duty of one so highly trusted, would have found some other Expedient to extend their Assistance and Protection to the Protestants, other than such as must blemish our Honour and Fidelity to all Posterity; nor is it a sufficient discharge to us, that his Majesty hath not inhibited us to proceed and conclude with you, his express Command being in this Case absolutely necessary. And as for the Suppositions and Inferences, which you make out of the Letters writ by us to his Majesty, and both Houses of Parliament; as that it could not be imagined, the Necessities being so great, under which we then were, that we would refuse such Supplies from the Parliament in manner as they directed, till our Letter should be from hence sent to *Newcastle*, and Answer thereof returned to us: And that the Parliament had no Reason to conceive, that we intended so to insist on the King's Direction, as without it we would not conclude, *&c.* As also considering how passionately we represented to the Parliament, the Importance of the City and *Castle* of *Dublin*, *&c.* and how undoubtedly all must miscarry, if Supplies did not speedily come, that yet the King's Consent should be so insisted upon as none of the forementioned Considerations should purchase a Dispensation therein; And to induce us thereunto, you propose unto us Examples of the delivering up of other Garrisons and Forces in *England*, as in particular, that of *Oxford*, &c. without having any explicite Direction from the King to deliver up the same. We conceive the Case of *Oxford* to be different from this; For Sir *Thomas Fairfax*, to whom the City of *Oxford* was rendred, (after some time of formal Siege, and the shedding of Blood on both Sides) was not invited thither by those within to defend and relieve it against the expected Attempts of another Enemy; as those Forces now here with you were (upon certain Conditions) by us, but his coming before *Oxford* was unsent for, openly and declaredly to take by force of Arms that City: In the Case of *Oxford* also, we have seen his Majesty's Command directed to the Governour for the rendring thereof, which if you can produce to us for the giving up of these Garrisons, with the Ensigns of the Royalty belonging to the Crown of this Kingdom, we will in like sort readily obey the same, notwithstanding some other Disparity in the Cases. And if the Instructions we gave our Commissioners be looked into, Copies whereof were delivered by them to the Committee of both Houses, all these Suspitions, Inferences, and Arguments will vanish, it being a certain and true Rule, that no Inference nor Application is to be made contrary to that which is exprest, as our Instructions were in this Particular; for our first and principal Instruction was, That we would surrender our Place of Lieutenant, *&c.* to such as the Parliament should appoint, upon these following Conditions. *First*,

First, That they procure his Majesties Direction for the doing thereof, &c. But further to clear it, in our seventh and last Instruction delivered unto our Commissioners, whereof the said Committee had likewise a Copy, it is further given in charge unto them in this manner, *viz.* If in the mean time whilst they take these Propositions and the rest into their Considerations, and till they have procured his Majesties Direction as aforesaid, the Parliament be pleased to send over such Supplies, as may relieve the Garrisons from ruin, through want, or by the hostile Attempts of the Rebels, the same shall be well husbanded for them, and imployed only to those Ends; both which Instructions leave no place for inference or implication to be made contrary to express Instructions. If the Parliament hath procured his Majesties Direction, the Condition is performed; but if that be not done, the Forces notwithstanding may be received and imployed in the present Service, and so all those inconveniencies may be prevented, which are feared: But if nothing that we can do can give satisfaction, but to deliver up the Sword, render all the Garrisons, and other Commands to the Pleasure of the Parliament, which we are bound by Oath to preserve and keep for his Majesty, before we do receive his Direction therein, We doubt not but we shall be acquit herein before God and Men if we insist upon the refusal of that which we cannot do without the Violation of our Oath to God and the King.

To sum up in brief those Particulars wherein we are not satisfied by any of your Papers, nor by any thing which was delivered in the Conference.

First You have shewed us no Direction from his Majesty to deliver the Sword, &c. Which you say you have not procured.

Secondly, You have *not offered assurance to the Papists of this Kingdom*, who have adhered to his Majesties Government since the 22. of *October*, 1641. for their Estates, which is confessed by you.

Thirdly, You have not undertaken, that the Covenant shall not be pressed, nor that the Book of Common-Prayer shall not be suppressed.

Fourthly, You have given no assurance either for the Continuance of the Judges and Officers of the Civil List, or the Officers of the Martial, in their respective Imployments, or the Clergy in their respective Rights and Incumbencies.

Fifthly, You have given us no satisfaction in that great and main Objection touching the present Parliament, which would be dissolved, if that we should deliver the Sword in manner as is desired: The Papers do clear none of these Particulars, and nothing was delivered positively in the Conference which doth any ways enlarge the former Papers. We know that in matters of so high and great concernment, you will go to the utmost Limits of your Instructions, and that in these things which seem doubtful to us, you will (if any expedient can be found for the continuing the Treaty) represent them to those who imployed you, in the best manner you can, for our Satisfaction; according to the promise made by you in your last Paper, for which we do return you thanks in the behalf of all his Majesties Protestant Subjects, and those who have faithfuly adhered to them. And for that full Satisfaction cannot be given to us without your further Application to the Parliament, for enlarging your Powers. We being resolved to leave no means unattempted, that may conduce to the Preservation of his Majesties Protestant Subjects in this Kingdom, and the Rights of the Crown of *England*, and to the End the Forces brought hither by you, may be employed to those good Ends, whilst his Majesties pleasure by us, and that of the Parliament by you is sought, do offer these following Propositions.

First, That the Officers and Souldiers, sent hither by the Parliament of *England* be put into one, or more convenient Garrisons, and be commanded by their Respective Officers, who are to receive Orders from us and the Governours of the Places where they shall be garrison'd, and to be subject to the Laws Martial now in Force in this Kingdom.

Secondly, We desire, towards the keeping of the Army now under our Command for six Weeks, three thousand Pounds, whereof two Parts in Money, and a third Part in Victuals.

Thirdly, That there be an Ingagement from you to us on the behalf of the Parliament, that the Officers and Souldiers which are to be Garrisoned, as in the first Proposition is mentioned, shall do no Act prejudicial to the present

An. 1646 present Government here; And that in Case we shall not at or before the Expiration of the said six Weeks agree, that they shall remove from those Places out of our Quarters, at such Time as we shall direct.

Fourthly, We shall engage our self unto you, that the said Officers and Souldiers, shall quietly and peaceably be permitted by us to remove with their Arms, Provisions, and other Things belonging unto them, to Shipboard, or to such other Places out of our Quarters, as you Sir *Robert Meredith*, Sir *Thomas Wharton*, Sir *Robert King*, and Sir *John Clotworthy*, Knights, and *Richard Salwey* Esquire, or any three of you shall direct: And to these our Propositions we desire your speedy Answer.

ORMOND.

Dublin, November 22. 1646.

HAving received your Lordship's Papers of the 21 of *November*, and in them your Return to what was first delivered in Conference, and afterwards for your Lordship's Satisfaction put in Writing, and signed by us.

And whereas in those Papers, your Lordship desires a Copy of the Instruction, whereby Power is given us to agree for Pensions to the Value of two thousand Pounds *per annum*. We have thought fit (that nothing may be wanting on our Parts) herewith to deliver you a Copy of the said Instruction.

And however upon Perusal of your Lordship's Paper of the 21. of *Nov.* we find little Cause to believe Satisfaction will be received by your Lordship, as hath been endeavoured to be given by us; Yet forasmuch as your third Paper of the 19. of *November* did express, that when you should receive in Writing signed by us, what was delivered in Conference to your Lordship, you would then declare unto us, whether or no you would rest satisfied therewith, or upon the whole Matter insist upon your Refusal, we desire your Lordship speedily to give us your positive Answer accordingly.

And withal, we hold it fit to declare, that as we conceive the Grounds of Satisfaction offered by us, do remain unanswered by your Lordship, and particularly touching the King's Consent and Direction (which you call Main and Fundamental) we having made it appear that your Lordship's Overture to the Parliament, was, to put all your Forces and Garrisons under their sole Command (the King unconsulted with at all therein) so we no Ways think fit (though our Instructions should therein authorize us) to accept of the Propositions mentioned in the latter End of your Papers, as an expedient to continue any longer.

If yet your Lordship continue to refuse what we have offered, we can only give Account thereof to those that employed us, and must leave it to the World to judge, whether those Exceptions, taken and insisted on by your Lordship be consonant to those Grounds and Principles held forth in your Overture made to the Parliament, by which they were induced to send Succours hither, or whether all the Particulars (so far insisted on by your Lordship, that it appears not to us, you will recede from any one thereof) be of equal Concernment to that Hazard, yea, (according to your Lordships own Representation) that Certainty of Loss, not of a Kingdom only, but of thousands of Protestants, and together with them, the Protestant Religion also.

All which, by the great Care and pious Endeavours of the Parliament of *England*, might have been (through the Blessing of God) prevented, if what we have offered (and do yet offer) in their Names, be not by your Lordship refused.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Rich. Salwey.*

A Copy of the Instruction mentioned in the former Paper.

YOU, or any three of you, have also hereby Power given you to agree for such Allowances to be paid to others by constant Pension, during the War of Ireland, (for the better and more firm carrying on of this Work) as shall not exceed in

in the whole, the Sum of two thousand Pounds per Annum, *to all other Persons besides the two thousand Pounds* per Annum, *to the Lord of* Ormond: *And those Pensions to continue till they they can receive the like Benefit by their own Estates.* 23 Caroli.

Vera Copia, Ex. *W. Rowe.* Signed as the rest of the Instructions.

November 22. 1646.

WHereas by your Paper of the 22. of *November*, 1646. You affirm that you made it appear, that our Overture to the Parliament was to put our Forces and Garrisons under their sole Command, the King not consulted withal therein, we do positively affirm, that you neither have nor can make it appear, that we made Overture to the Parliament, to put all our Forces and Garrisons under their sole Command, the King unconsulted; for whatsoever hath been offered by us unto the Parliament by our Propositions and Instructions, We are constant thereunto, and still ready to perform.

ORMOND.

November 22. 1646.

HAving received your Lordship's Paper of the 22. of *November*, (which we conceive needs no Reply) we desire to know whether your Lordship will return any further Answer to our first Paper of this Day's Date.

Rob. Meredith. Tho. Wharton. Rob. King.
John Clotworthy. Rich. Salwey.

November 22. 1646.

WE may not return other Answer, than we have done in our former Papers, until we have consulted his Majesty, and received his Direction therein.

ORMOND.

November 22. 1646.

WE having heard nothing from you since we sent our last Paper, we desire to know whether we shall understand this Treaty to be at an end for the present, that if neither our Propositions sent by us to the Parliament of *England*, nor the Propositions we sent unto you for the Stay of your Men, be assented unto, in Manner as is propounded, we may consider what further Course to take for the Preservation of his Majesty's Subjects and the Rights of the Crown.

ORMOND.

November 22. 1646.

IN Answer to your Lordship's Paper of the 22. of *November* we return; That we continue assured, there is no other Way, according to the Representation made by your Lordship to the Parliament, of preserving the Protestants of the Kingdom of *Ireland*, nor of the Rights thereof relating to the Kingdom of *England*, but by accepting the Overtures made by us to your Lordship, according to our Papers delivered in; Your Lordship insisting upon a positive Refusal thereof, we understand the Treaty to be at an End; And as for the Offers lately made by your Lordship to us, we refer our selves to our Answer already given thereunto, and can in no wise accept of the same.

Rob. Meredith. Tho. Wharton. Rob. King.
John Clotworthy. Ri. Salwey.

An. 1647. Thus the Treaty not succeeding, the Parliament's Commissioners returned again to their Ships, and carried all the Supplies they had brought to the Parliament's Garrisons in *Ulster*, and returned again to *London*. *February* 15. 164$\frac{6}{7}$.

However their Appearance there did this good, That the *Irish* soon after drew off, and quitted the Siege of *Dublin*, being themselves in great Want of Provisions.

CHAP. XIII.

Proceedings in Parliament from April 1. *to* May 1. 1647.

Thursday, April 1. 1647.

A Letter to the Parliament's Agent in *France*, about the Ships and Goods taken by Pirates going for *Ireland*, was then reported to the House, and, being read, was assented to for Relief. An Order was then likewise made, referring it to the Committee of the *Navy*, to provide Shipping for the Coasts of *Sussex*, and to prevent Robberies by Pirates, thereby to encourage the Merchants.

The House then fell upon the Business of the Day, concerning the Affairs of *Ireland* (as was appointed) and more particularly whether the Civil and Military Government shall be in one or two distinct Governments; and it was voted that the Civil Government should be distinct from the Military. Also voted, That the Civil Government of that Kingdom shall be by two Lords Justices, as formerly.

That the Military Government of that Kingdom shall be by a Commander in chief, and that the said chief Commander shall be directed by Commissioners on the Place.

The House also fell into a Debate for the nominating the chief Commander for Military Affairs, and the Question was proposed to be put for Sir *William Waller* to command in chief, but it came not to the Vote; some others were likewise nominated, but the further Debate thereof was put off till to Morrow ten of the Clock.

The House was then informed, That according to the Letter to his Excellency, Lieutenant General *Hammond*, Colonel *Hammond*, Lieutenant Colonel *Pride*, &c. were come up, and attended at the Door; the House, after much Debate, ordered they should be called in; and Mr. Speaker acquainted Lieutenant Colonel *Pride*, That the House was informed that be should read a Petition (of which the Houses had an ill Sense) at the Head of Colonel *Harley*'s Regiment, and that there were threatning Speeches given out, that those that did not subscribe it should be cashiered the Army, *&c.*

For Answer he said, That there was no Petition, either by himself, or by his Appointment, read at the Head of the said Colonel *Harley*'s Regiment, and that there was no menacing or threatning Words used, and denied the whole Charge; and so did the rest of them, and gave good Satisfaction in Answer to what was demanded of them; and after some Debate thereupon, Mr. Speaker, by Direction

Direction of the House, acquainted them what Sense the Houses had of the said Petition, and desired their Care for the suppressing thereof, or any other of the like Nature for the future, and that they would go down to the Army to their several Commands, and so were dismissed. 22 Caroli.

A Letter was this Day presented to the House from his Excellency Sir *Tho. Fairfax*, directed to the Speaker, in answer to that sent on *Monday* about the Petition on Foot in the Army. The Letter, for better Satisfaction, is as follows.

For the Honourable *William Lenthal* Esquire, Speaker of the Honourable House of Commons.

SIR,

I Received your Letter dated the 27th *of this Instant, with an enclosed Order from the House of Commons, for the making Stop of the further proceed in a Petition, which the House was informed was carrying on in the Army. In Obedience to which, I sent out Orders to the Officers of the Regiments quartering in these Parts of the Kingdom, to meet at my Quarters, that I might enquire into the whole Matter, and take such Course as might effectually conduce unto the accomplishing your Commands; where having communicated your Letter and Orders to them, they did generally express a very deep Sense of their Unhappiness in being misunderstood in their clear Intentions, which were no other, than by Way of Petition to represent unto me those Inconveniences, which would necessarily befal most of the Army after disbanding; desiring, That as much as I should judge fit and seasonable might be submissively made known to the House of Commons, which otherwise (your Multiplicity of Business intervening) might not be remembred; assuring me, that they would wholly acquiesce in whatsoever I should judge reasonable to offer, or you to grant on their Behalf. I have also, according to your Command, sent up Lieutenant General* Hammond, *Colonel* Hammond, *Colonel* Lilburn, *Lieutenant Colonel* Pride, *and Lieutenant Colonel* Grimes, *to attend the Houses Pleasure. Who I hope will give you (as far as they are acquainted therewith) a full and candid Account of the whole Proceedings in this Petition.* Sir, *there is one Clause of your Letter concerning all the Regiments marching this Way, which I do not understand, except it be meant by Sir* Hardresse Waller's *Regiment, which I have remanded away at the Instance of Major General* Skippon, *upon the Grounds in his enclosed Letter; and Colonel* Hammond's, *and Colonel* Herbert's, *now upon their March to* Chester, *being dismist from that Service. Sir, I trust the Army will ever manifest their Affections to the Publick, by their constant Perseverance in their accustomed Obedience unto all your Commands, which shall be ever really endeavoured by,*

Walden, March 30. 1647. Your most humble Servant,

Tho. Fairfax.

April 2. 1647.

THE House of Commons, upon *April* the 2. (according to their former Order) debated the Ordinance for the Militia of the City of *London*, and, after much Debate, it was referred to a Committee.

They then proceeded in the Business of *Ireland*, and the Question was put; whether the Commander of the Forces of *Ireland* should be stiled Field Marshal, and also concerning his Allowance, whether it should be 6 *l. per Diem*? And in both 'twas carried in the Affirmative.

The House then entred further into Debate, who should be the chief Marshal of *Ireland*; and taking into Consideration the Gallantry, Worth, and Honour, of that faithful and renowned Souldier,

An. 1647

dier, Major General *Skippon*, It was put to the Queſtion, and voted, that Major General *Philip Skippon* ſhould be appointed chief Marſhal of *Ireland*, and have the Allowance of *6 l. per Diem*, none diſſenting.

The Queſtion was then alſo upon further Debate put, whether Colonel *Maſſey* ſhould be Lieutenant General of the Horſe, under the chief Marſhal, ſome others likewiſe were nominated, but it was carryed in the Vote, that Colonel *Maſſey* ſhould be Lieutenant General of the Horſe.

The Lords ſent down a Meſſage to the Commons; That their Lordſhips had appointed a Committee to joyn with a Committee of their Houſe, to go into the City on *Tueſday* next, for the borrowing the Sum of 200000 *l.* for the Service of *England* and *Ireland.* And the Houſe of Commons hereupon appointed a Committee of their Houſe to joyn with that of their Lordſhips to go into *London*.

And they ordered further, that ſeveral Members (that were of the City) ſhould acquaint the Lord Mayor, That he be deſired to call a Common Council againſt *Tueſday* next; At which Time the Committee of both Houſes do come to propound ſome Things to them from the Parliament.

Then the Houſe according to former Order, adjourned till *Tueſday* next; and not ſitting on *Saturday*, nothing further came from any Parts worth the mention.

A Letter from Saffron Walden, April 3. 1647.

SIR,

WHilſt our Enemies appeared only as Men out of Place and Authority, and we looked upon them as the common Enemies of the Kingdom, we conceived there might be ſomething done to vindicate our Actions upon the publick Stage; but now the Diſeaſe is grown ſo epidemical, that all our Endeavours are like to prove invalid. And indeed thoſe who are now prejudiced againſt us, are our Superiours; nay further, thoſe whom we looked upon as our beſt Friends: (and the Wounds of Friends are grievous;) who would have thought that ſo modeſt and moderate an Addreſs, as the late Petition drawn up to be ſubſcribed by the Army, to be preſented to the General, would have raiſed ſo much Duſt? Or, have the Souldiers only, who have been Inſtruments to recover the loſt Liberties of the Nation, fought themſelves into Slavery? Sure there is Right of petitioning for us, as well as there was a Petition of Right for the Parliament. If we had been ſo raſh, as at firſt Adventure to have knock'd with a Petition at the Parliament's Doors, it might have been cenſured as too ſaucy and malapert: For Souldiers to repreſent their Grievances to their General, is a Liberty which the Law of Nature and Nations will not deny; for this was to go no further, but left to his Excellency to retract, or repreſent, as he thought either fit or ſeaſonable.

The firſt Vote of the Houſe of Commons for the ſtopping of the Petition ſeemed ſtrange to us, and we could not but have a very deep Senſe of our Unhappineſs, in being miſunderſtood in our clear Intentions, which are no other than by Way of Petition to repreſent the Inconveniences which muſt neceſſarily befal the Army after disbanding, which the Parliament through Multiplicity of Buſineſs might not ſo well provide againſt; beſides ſome have already ſuffered for Want of a general Act of Indempnity, and many Officers (as I believe is obvious to your Eyes) have been ſtarved for Want of Subſiſtence, whilſt they ſought to obtain their Arrears. But how great a Cauſe of Amazement and Aſtoniſhment was it to us, to ſee a ſecond Declaration of both Houſes of the 30. of *March*, wherein that Petition is declared to tend to the putting the Army into a Diſtemper and Mutiny, to put Conditions upon the Parliament, and obſtruct the Relief of *Ireland*;

land; That they should pronounce their high dislike thereof, and that they would proceed against the Promoters as Enemies to the State, and Disturbers of the Publick Peace; but that which yet heightens the amazement is, that such a Declaration should be grounded upon Letters and Informations of so slight Credit, which if I might be so bold I might term both frivolous and fictitious. One of the Letters directed to Colonel *Harley*, says, that at a Rendezvous of the said Colonel's Regiment, the Petition was read and signed by 1100 Hands, and such as refused it were threatned to be cashiered: The Muster-Master will tell you there was not 1000 mustered the last Muster; and yet 1100 set their Hands, and the rest 00000 were cashiered: But this is not all the Discovery. The other Regiments were coming up; and says one, except the Parliament take high Resolutions, they will enslave the Kingdom. To answer this, there was none came from the North, but Sir *Hardres Waller's*, and that was sent for at Major General *Skippon's* request, who complained that the Country there was not able to bear it. And Colonel *Herbert's*, and Colonel *Hammond's* Regiments being about *Chester* ready for Transportation for *Ireland*, but (their good will not accepted) coming back towards the rest of the Army. But another Member acquaints the House, that those who would not subscribe the Petition were to be left out of the Muster-Roll. And another says, that he heard Lieutenant General *H.* and other Officers were to reside at the Head Quarter to receive Subscriptions: yet not one of them received a Paper or Subscription, nor any brought in at that time. But this was not all; there was another Letter from an Officer of Colonel *Rositer's* (who would do nothing without his Colonel's consent) and he takes exceptions at nothing but at the desiring the Royal Assent: This Colonel *Fines* very excellently vindicated the same day in the House; declaring that there was nothing desired more than what the Parliament themselves demand in the Propositions; (but Colonel *Rositer* had thanks, and his Regiment voted their Arrears.)

22 Caroli.

Sir, Give me leave a little to clear up the Intentions of the Army: For that charge of Mutiny; I can assure you there was no such thing, the Petition being generally approved of, and whole Regiments unanimously subscribing it, except here and there some indifferent Commanders seemed to oppose it: The truth is, it is the Master-piece of our Enemies to suppress it in such high Language, if it were possible to bring the Army to a Mutiny, and so put an *Odium* upon them at the last, which they could not hitherto fasten: For putting Conditions upon the Parliament; I dare speak the Hearts of the Petitioners (the Commanders I'm sure) it never entred into their thoughts: And I may say the like for the obstructing of *Ireland*, and add further, That the Parliament will find those Men, who were most forward in this Petition, more ready to go for *Ireland*, than any of the *Septem decem viri*, who only to curry favour and ingratiate, have tendered their Service (in a Declaration which I suppose you have seen) leaving the Conditions, Conduct, Indempnity, and Arrears at pleasure; which indeed they may, for most of them will never come there.

Letters from Saffron Walden, *the General's Head Quarters, of Intelligence.*

Sir,

I Suppose you are not ignorant of the late Command sent unto the General, to publish a Declaration at the Head of his several Regiments requiring them to *desist from going on in that Petition* they were about to present unto him; I thought fit by this to acquaint you, That in obedience to the Commands of the Parliament, his Excellency has caused the same to be published, and the Soldiers acquiesce therein (such is their Obedience and respect to the General) though at the reading it, some of the Souldiers gave out, it was an hard Case with them, that they that had fought for the Liberty of the Subjects of *England*, *should be denyed the Liberty* of the Subject *to Petition*, though it be to their General in an humble way, and meerly in things relating to them as Souldiers (medling neither with Church Government nor State Affairs) and withal submitting it to the General's Judgment for Approbation or Correction, as he saw cause; and though they said they did desist in this Petition, yet since it was published to the World, that

An. 1646. that their Proceedings tended to ſuch a Nature, as to deſerve to *be declared Enemies* if they perſiſted therein, they purpoſe to publiſh to the World a Vindication of their Innocency, from thoſe groundleſs Opinions had of them, and hope to have Juſtice done upon the miſ-informers; this they ſay they intend to do in an humble and a ſubmiſſive way, and though their Mouths be ſtopt from a Liberty of Petitioning, yet their Honour is ſo dear unto them, that they ſay they are reſolved of a Vindication, ſo as it ſhall be neither offenſive to the Parliament, nor the General. To regulate Offences and allay Heats in Parliaments, ſometimes is more prevaling, than things tending to Provocation, and it had been Wiſdom in the County of *Eſſex* in the firſt violent Petition, to have forborn to have publiſhed the ſame in Print, wherein they poſſeſs the World, That this *Army came to enſlave the Country*, and to awe the Parliament. I ſend you here encloſed a Copy of a *ſecond Petition* of that County, contrived and printed privately in *London*, and ſent down hither in Print (no Man knows from whom) to the ſeveral Hundreds and Pariſhes, to be read the next Lord's Day in all Churches, as you will ſee by the Direction. The Souldiers will not hinder others Petitioning againſt them, even in their own preſence, and yet they ſay they muſt be denyed to Petition for themſelves, be their Cauſe never ſo juſt. Who can blame the County of *Eſſex*? Or any County in this Kingdom elſe, to deſire a preſent Disbanding, ſince the Work is done? It is as much irkſome to us, when there's no need of Souldiers to Quarter upon the Country, as it can be to the Country to Quarter us; yet no Petition that hath been put out in Print lately againſt this Army, for the Disbanding of it, hath ever yet expreſſed ſo much Affection, Love or Requital unto the Army, for what they have done for them, as to mediate or deſire, That as they would have them Disbanded, ſo that Care may be taken, the poor Souldier that hath been ſo faithful and expeditious in their Service, might be conſidered for their Arrears at the Disbanding. And what (ſays the Souldier) makes the Army lyable to theſe Reproaches, unleſs it be for finiſhing their Work ſo ſoon? And have they fought to maintain the Petition of Right, and be denyed a right of Petitioning themſelves? *Sir*, Having given given you this brief Account,

I Remain,

Walden, April 3. 1647.

April 5. 1647.

THE Houſe Sat not, having formerly ordered, not to Sit *Saturdays* or *Mondays* for a time.

Another Petition againſt the Army from *Eſſex*, was read in ſeveral Churches yeſterday by the Miniſters, to get Hands to it. The Souldiers (eſpecially the Horſe) are much troubled at this, and cry out, Why may not we be heard in Petitioning, as to ſee Petitions in our own Quarters Subſcribed in an indirect manner againſt us? The Horſe hereabouts talk of drawing to a Rendezvous, or meeting to compoſe ſomething for Vindication.

Intelligence from Scotland.

Intelligence from *Scotland* adviſe, That a great noiſe hath been made of the coming over of a conſiderable number of *Iriſh*, to joyn with the Earl of *Antrim*'s Forces, but in the mean time it hath pleaſed God to proſper Major General *Middleton* in his Undertakings againſt the *Gourdons*, and hath ſince taken a ſtrong Caſtle of *Strathbolgly*, which was the chiefeſt Hold the Marqueſs of *Huntly* had to truſt in. This Caſtle endured a very hot Storm, but at length the Defendants were beaten out of their Poſſeſſion, throwing down their Arms, and calling for Mercy for their Lives; which was granted, except to the Inhumane Rebels above twenty, who were taken in the Caſtle, and deſervedly hang'd. Major General *Middleton* is ſtill in purſuit of the Marqueſs of *Huntly*, endeavouring to prevent his joyning with *Colkitoth*.

The Parliament's Commiſſioners of *England* do ſtill remain at *Edinburgh*, where (during the interval of Parliament) there is a ſtanding Committee to order Affairs.

By other Letters from *Edinburgh*, of the ſame date, came more, thus. The Parliament of *Scotland*, Sitting at *Edinburgh*, adjourned on *Saturday* laſt, and the

the Adjournment is to be until the first *Thursday* of the next *March*, 1647. But they have chosen a grand Committee to sit in the Interval; and Power is given them by Commission and Instruction to perfect such Business as shall come before them, until the next Sitting of Parliament. 23 *Caroli.*

Our Field News is very good, and *David Lesly* hath taken in *Strobogie Bogg*, a *Ghight Lesmore*, and *Ward-House*, two of them by Storm, and the other upon Quarter; There were 160 Prisoners taken, in *Strabogie* 1000 Bowls of Corn; there was not much Hurt sustained in storming and taking of the Place; besides the many Noble Prisoners are taken coming in from the Rebels, 36 in all are hang'd, *David Lesly* hath begirt other three of the Rebels Garrisons, letting them know that if they will not surrender he will storm them, and give none of them Quarter. Those Rebels scattered in the Mountains are vanished, and few left in the Field elsewhere.

On *Tuesday* last, *March* the 30. The Lord *Lauderdale* intended to set out from *Edinburgh*, towards *London*, with some others.

Edinburgh, *March* 30. 1647.

Upon Tuesday April 6. 1647.

THE Commons Concurrence desired by the Lords, for the Enlargement of Captain *Kittleby*, who with his Ship deserted the Protestants in *Ireland*, and came with it to the Ships which revolted from the Parliament.

The House being informed, That irregular Means have been used lately in the County of *Essex*, for getting of Hands to a second Petition against the Army, which Petition was first promoted and contrived in *London*, and sent down privately into *Essex*, to get Hands unto it.

The House, to shew their Dislike of such Way of petitioning, and the great Discontent it may occasion in the Army, in this Juncture of Time,

Ordered, That the Knights of the Shire serving for that County, should write to the Inhabitants to desist, and to give them to understand, that the Houses were upon a Way to dispose of the Army, as may be best advantagious to the whole Kingdom. The Members of the House that serve for the Counties of *Suffolk* and *Norfolk*, were likewise ordered to do the like.

The House then also finished Instructions for the Committee, who are to treat with the Common Council of *London* this Afternoon, about the Loan of the 200000 *l.* for the Service of *England* and *Ireland*. And accordingly this Evening a Committee of Houses met the Common Council at *Guildhall*, and acquainted them with the Houses Desire for the Loan of the 200000 *l.* The Security propounded was the Remainder of the Bishops Lands, the Excise, Delinquents Estates, or the new Ordinance for raising 60000 *l.* *per Mensem*, for *England* and *Ireland*'s Forces, and further left it to the City to propound what Security they should think fit, in the Houses Power to grant.

The Common Council looked on the Business with much Respect, and there appeared a Willingness in them for the Loan of the Monies, upon some further Conditions to be offered; and upon the Result of all, this Answer only at present was given; That the Common Council would chuse a Committee of their Members to bring in an Answer, which should from them be given to the Houses.

An. 1647.

Upon April 7. 1647.

ACcording to former Order, the Houfe reaffumed the Debate of the Ordinance for 60000 *l. per Menfem*, for the Service of *England* and *Ireland*, and after the Amendments were reported, they were affented unto, and then a Claufe was offered to be inferted in this Ordinance, for freeing and exempting all Colledges of the Univerfities, Alms-Houfes, Free-Schools, Hofpitals, *&c.* from Payment to this Ordinance, and this was referred to a Committee.

Another Claufe was offered to be inferted into the faid Ordinance, which was for abating all the Counties of the Kingdom Free-Quarter in Payment of their Affefsments, and this was agreed unto.

Many others were offered, but nothing done upon them.

The Houfe then ordered, That this Ordinance fhould commence from the 25. of *March* laft. And they ordered that it fhould be fent to the Lords for their Concurrence.

A Letter was (*April* 7. 1647.) read in the Houfe of Commons, from the Parliament of *Scotland*, dated before their Adjournment, in the Behalf of Vifcount *Montgomery*, Lord *Ards*, Colonel of the old *Irifh* Eftablifhment, who was taken Prifoner laft Year by the Rebels, defiring that his Arrears may be paid him to procure his Redemption; The Commons voted to refer it to the Committee at *Derby Houfe* for *Ireland*, to confider if they can find out any Way for Exchange, and the Lords Concurrence was defired herein.

Another Letter was read from General *Leventh* out of *Scotland*, expreffing his great Engagements, and Thanks to the Houfe for the great Honour and Favour in beftowing the Jewel on him. The Houfe ordered 20 *l.* (befides the former Money) to be paid to the Meffenger.

A Letter was alfo delivered to the Houfe, from his Excellency the Lord *Lifle*, Lord Lieutenant of *Ireland*, but by Reafon of their great Bufinefs, it was not then read.

The Commons added twelve of their Houfe to the Committee for *Ireland*, at *Derby-Houfe*, and they fent a Meffage to the Lords, that they would nominate a proportionable Number of theirs to joyn with them. They likewife ordered that the Committee for *Ireland*, fhould have Power to fecure the Horfes and Arms of all fuch as fhall not be lifted for *Ireland*, and likewife to tranfport thofe that are defigned thither, to the End the Countries may not be burthened by them.

The Lords took into Confideration the Bufinefs concerning Country Committees, and it was moved to have a Conference with the Commons about putting them down. The futher Debate thereof was referred till another Day.

Several Meffages were fent from their Lordfhips to the Commons, about the Earl of *Bath*'s and Captain *Kittleby*'s Petitions, *&c.*

The Houfe ordered to fend Anfwers by Meffengers of their own.

To

23 Caroli.

To the Right Honourable, the Knights, Citizens, and Burgesses assembled in Parliament. The humble Petition of the Inhabitants of the County of *Essex*,

Humbly sheweth,

Essex Petition to disband the Army. *April* 6.

THAT in all Exigencies having freely and with the first engaged themselves to the utmost Hazard of their Lives, and exhausted their Estates for the Support of the Kingdom in its Native Rights and Liberties, and by God's Blessing the Successes have been answerable in some Degree to their Desires, by which we sit in Peace and your selves in Security, with a full Possession of the Hearts of the People; and now fearing lest by the miscarrying on the Military Charges, beyond the Necessity of the Work, and the Ability of the People now much weakened, by a Dearth sharper than the late devouring Sword, you should hazard the Loss of your Selves and Friends, not so much from the Alienation of their Affections, which yet is not to be neglected, as their Disabilities to serve you which may arise from the Army now on Foot, after six Months Cessation of all Hostility here, and so bleedingly called for to the saving of any other Kingdom, as also from so numerous a Party in this County; shortly by their Quarters, like to equal all precedent Charges, and to surmount the worst and heaviest of our former Taxes, especially by the Manner of their being imposed upon us.

Your Petitioners do humbly offer to your Prudence the Speedy Disbanding of the Army, *as a plenary Expedient against the worst, that in general may be feared by you and us. And the Removal of it from this County, by which you shall continue absolute Masters and Disposers of them and theirs, in all your pious and painful Undertakings for the future; and that God will assist you for all your Safeties, is and shall be the daily Prayers of your Petitioners, &c.*

The Minister is desired to publish this Petition *April* 4. and to have two Sheets of Paper, to take the Names of those that will freely joyn in it, the one to be presented to the House of Lords, and the other unto the House of Commons.

This Petition was sent from *London* to *Joseph Hall*, High-Constable in little *Bardfield*, and they are to be published in every Parish-Church in this County of *Essex*, and in every Parish to gather Hands to it, with this further Direction written in the printed Paper, wherein they are desired (as many as can conveniently) to meet at *Shealford Langthrine* the 8. of *April*, to go to *London* with the same.

Upon April 8. 1647.

THE House of Commons proceeded in the Business of *Ireland*, and voted Colonel *Jones* to be Governour of the City of *Dublin*.

The Lords sent down the Names of the six additional Members of their House, to be added to the *Irish* Committee at *Derby-House*, *viz.* The Earls of *Lincoln*, *Suffolk*, and *Middlesex*, Lords *Dacres*, *Willoughby*, and *Maynard*.

The House of Commons likewise debated, and approved of the Contract brought in by the Committee for *Ireland*, upon the Ordinance for Provisions already sent, and for which the Committee have contracted to be sent into that Kingdom. Likewise the Contract with Mr. *Davies* for Corn to be sent thither, was debated and approved on.

Ordered likewise, that Colonel *Sidney* be considered of, for his Faithfulness and good Service to the State in convenient Time, and the Lords Concurrence was desired in these Votes.

An. 1646.

Then the House of Commons (according to former Order) entred upon the Business of the Body of Horse, who are to be continued in this Kingdom; and particularly they fell upon nominating the Regiments and Officers of Horse, who are to be continued in the several Counties, or otherwise, as Occasion shall require; and having formerly voted the *Yorkshire* Horse under Colonel General *Poynth*, Colonel *Bethell*, and Colonel *Copely* to be continued, they now proceeded and voted,

The General Sir *Thomas Fairfax*, his own Regiment to be continued.

Lieutenant General *Oliver Cromwell*, his Regiment continued.

Colonel *Graves* (who commands the Party at *Holmby*) with his Regiment in *Warwickshire*, continued.

Colonel *Rositer*, his Regiment about *Lincolnshire*, continued.

Colonel *Whaley*, his Regiment about *Sussex*, continued.

Colonel *Needham* (formerly Governour of *Leicester*) to command a Regiment to be drawn out of the Forces of *Shropshire*, *Staffordshire*, *Cheshire*, *Warwickshire*, and *Leicestershire*.

The House then took into Consideration the continuing of some Horse, for the Defence of North-*Wales* and South-*Wales*, and they voted that Major General *Mitton* shall have 100 Horse and 100 Dragoons for the Safety of North-*Wales*, to be under the Command of his Excellency.

That Major General *Langhorn* shall have the same Number for the Safety of South *Wales*, under his Excellency.

A Letter was this Day brought from the Parliament's Commissioners at *Holmby*, to the House, giving them to understand, That notwithstanding all the Care which they have taken to prevent any from delivering Papers to his Majesty, which they have been constantly vigilant to prevent, yet one Colonel *Bosvill* (formerly an Officer in the King's Army) of the Lord *Cleaveland*'s Regiment, disguised himself in a Country-man's Habit, and as his Majesty (with the Commissioners) was passing over a narrow Bridge, he put a Pacquet of Letters into his Majesty's Hands. The Commissioners apprehended him, he confessed they came from *France*; his Examination is sent up from the Commissioners, desiring to know what to do herein; but of the Effect of the Letters, there is nothing known as yet.

After the reading of the Commissioners Letter, and Colonel *Bosvill*'s Examination, They ordered that the said Colonel *Henry Bosvill* should be sent for to the House as a Delinquent, by the Serjeant at Arms attending the House.

They ordered likewise, That a Letter of Thanks should be sent to our Commissioners for their Care herein, and desire them to take the like Care of preventing private Intelligence to his Majesty for the future.

On April 9. 1647.

THE House further proceeded as to the Business of *Ireland* and ordered, That the Officers employed for the Service of *Ireland*, shall have greater Pay allowed them than those to be continued in this Kingdom. That the Commanders and Governours of all Forts, Towns, and Castles, having above 200 Men under their Command, shall have above a Captain's Pay, according to the Establishment. And in further Pursuance of this Business, it was

referred

referred to a Committee to draw up an Establishment for the Forces of the two Kingdoms of *England* and *Ireland*, and to report it to the House, and with all these Additions agreed on. That the Officers to be employed for *Ireland*, shall have a Proportion of Land in *Ireland*, for that Part that is respited upon the publick Faith.

That the Committee for *Ireland*, shall have Power to grant Commissions to the Officers to be employed for *Ireland*.

That the Committee for *Ireland*, shall have Power to draw the Forces that undertake for *Ireland* into Regiments, and take Care for the safe Transport of them.

The House then had into Debate the Business of the Church, and ordered that on *Thursday* Fortnight, the House do debate the Business of the Church for fourteen Days together, and in the Interim no private Business to intervene. And further ordered, that such Ministers as are recommended from the Lords to be put into Livings, be referred to the Assembly to be examined concerning their Abilities for the Ministry.

A Message came down from the Lords, for a Conference for taking away Country Committees, and a Conference about that Business was had accordingly, and several Reasons were given by the Lords at this Conference for the taking away Committees, which Reasons the Commons have appointed to take suddenly into Consideration, and give their Lordships an Answer. The Commons then further considered the Ordinance for appointing new Commissioners for the Great Seal. Finding some Stop in the Lord's Concurrence in that Ordinance, that no Obstruction may be to the publick Prejudice, they ordered the present Commissioners shall be continued for twenty Days longer.

After this the Houses adjourned till *Tuesday* next, and there was nothing of Moment on *Saturday*.

On April 12. 1647.

FROM *Holmby* by Letters something further came this Day of the Pacquet from *France*, delivered privately into the King's Hands the last Week by the Gentleman disguised; and the Business is thus certified. His Majesty the other Day going to Bowls, there was one Major *Bosvil* (who in a plain Country Habit) presented his Majesty with a Pacquet of Letters so secretly, that none of those (that attended him) perceived it. The Major having done his Business, escaped three Quarters of a Mile, but being perceived by a Miller, who looked lower than the rest, he cryed, Nobles and Gentlemen, there was a Man gave his Majesty Letters; which the Major perceiving (others not hearing) offered him Gold to keep silent, but the Miller would have none. Some that attended his Majesty at a greater Distance than ordinary passing by after, the Miller told them, there was one had given his Majesty Letters; they demanded where he was, he told them he went such a Way, they rode after him, over-took him and brought him back. Being examined, he said he came from *Paris*, and brought the Letters from the Queen's Majesty and others; They demanded of him what they contained, he told them he knew not; only the Lady *Culpepper* told him, that they contained a Desire of the Prince, to go along to the War this Summer with the Duke of *Orleance*, who commands the Army in *Flanders* against the *Spaniard*, and that the

An. 1647. the Prince conceived it necessary in Point of Honour, but both his Mother Queen and the Queen Regent was against it.

It was desired of his Majesty, that he would make known the Contents of those Letters; he answered he was not to give an Account to any Man living.

Major *Bosvil* is sending up to the Parliament.

On April 13. 1647.

THE House of Commons proceeded in the Business of *Ireland*, and more particularly of an Establishment of Pay who will go thither, as reported from the Committee at *Derby-House*; and that they may have the more Encouragement, it was

Ordered, That those that went should have the same Pay that they had under the Command of Sir *Thomas Fairfax*; and for Officers, whereas they had for half their Pay publick Faith, they that go for *Ireland* shall have that Half-Pay in Rebels Lands, and they who formerly adventured for Land in *Ireland*, according to the same Rate.

It was this Day further agreed on by both Houses, That the Earl of *Warwick*, Lord *Dacres*, Sir *William Waller*, Sir *John Clotworthy*, and Major General *Massey*, go down to the Army, and make some further Propositions to the Officers and Souldiers that will go for *Ireland*, and accordingly this Committee of both Houses set forwards from *London* to the Army this Afternoon.

The Establishment agreed on by the Commons this Day, for the Forces to be continued in both Kingdoms, take as followeth.

Officers of Horse in this Kingdom.

A Colonel shall have 12 *s. per Diem*, and for four Horses 6 *s. per Diem*.
A Captain 10 *s. per Diem*, and two Horses 4 *s.*
A Lieutenant 5 *s.* 4 *d. per Diem*, and two Horses 4 *s.*
A Quarter Master 4 *s. per Diem*, and one Horse 2 *s.*
A Provost Marshal 3 *s.* 4 *d.* and two Men 4 *s.*
Corporals and Trumpeters each 2 *s.* 6 *d. per Diem.*

Foot Officers in this Kingdom.

A Captain 8 *s. per Diem.*
A Lieutenant 4 *s. per Diem.*
An Ensign 2 *s.* 6 *d. per Diem.*
Serjeants, Drummers, Corporals, each 1 *s per Diem.*

They ordered no Officer shall be above a Captain in any Garrison, but the Governour.

That the Governours of *Chester*, *Plymouth*, *Hull*, *Pendennis*, *Leverpool*, *Gloucester*, *Linne*, *Newcastle*, and *Portsmouth*, shall have 12 *s. per Diem* as Governours, and 8 *s. per Diem* as Captains.

That the Governours of *Weymouth*, of the Fort and Castle of *Bristol* and *Tinmouth*, shall have 7 *s. per Diem* as Governours, and 8 *s. per Diem* as Captains.

They also made an Establishment for those that had under 50 in their Garrisons, and those that had above 50.

That the Forces in *Portland* shall be reduced to 50.

They ordered that they approved of Colonel *Sheffeild*'s going into *Ireland* with his Regiment of Horse.

That in Respect of Captain *Howard*'s good Services, he shall have a Regiment in *Ireland*. That

That the Foot that goes for *Ireland*, ſhall have Coats and Knapſacks allowed them above their Pay.

That the Forces that go for *Ireland*, ſhall have Debentures made up in their Abſence for their Arrears in the Service of this Kingdom.

That what is reſpited upon the publick Faith to the Officers employed for *Ireland*, the ſame ſhall be paid them out of the Land in *Ireland*, as if they had adventured.

Letters were read this Day from the Lord *Liſle*, Lord Lieutenant of *Ireland*, which expreſs his Lordſhip's Readineſs to ſerve the Parliament to the utmoſt in the Service of *Ireland*, if they think fit to employ him further, if not he is willing to return when they ſhall ſo order it, and in the mean Time to do what Service he may for their Aſſiſtance againſt the Rebels.

The Buſineſs of ſending Propoſitions to the King ſhould have been debated this Day, but this grand Buſineſs of *Ireland*, and the Eſtabliſhment for the Pay of the Forces of both Kingdoms, hindered the ſame.

There came this Day a Citizen, and gave himſelf Priſoner to the Serjeant of the Commons Houſe, telling him he had a great and dangerous Plot to diſcover; thereupon a Committee was appointed to examine him and take his Diſcovery, but he would not at preſent ſay any Thing, having (as he ſaid) acquainted Mr. *Marſhal* and Captain *White* of *Weſtminſter* therewith; he gave general Intimation that the Deſign was againſt the Parliament at *Weſtminſter*.

The Commons ſent a Meſſage to the Lords, deſiring their Concurrence to ſeveral Particulars; As to the Votes concerning the Forces to be continued in *England*.

The Ordinance for the Repayment of the Monies, for the firſt reducing *Newcaſtle*, for 300 *l.* to be given to the Gentlemen that came from the Parliament of *Ireland*, and to carry them back.

From *Weſtcheſter* came by Letters this Day thus; There is not any Thing came from *Dublin*, ſince the putting to Sea of Colonel *Caſſell*'s Regiment. There are about 600 of Colonel *Hungerford*'s Regiment come to theſe Parts.

The Mutiny of the Souldiers in North-*Wales* for Arrears continues; They ſtill hold in Priſon ſeveral Committee-men in *Richam* Church, Colonel *Mitton* is gone for *Shrewsbury*, Colonel *Alderſon* is come to this Town; other chief Men in the Country, not in their Hands, have taken Refuge in *Conway* Caſtle, which they threaten to beſiege, and ſay they will have Money before disbanding.

By Letters from *Cork*, dated *March* 26. 'tis adviſed, That the Lord *Liſle*, Lord Lieutenant of *Ireland*, remains there, but is in no Condition to take the Field, having no Addition of Power ſince his firſt Arrival; he hath fortified the Places upon the Black-water, and according to firſt Reſolutions ſettled the Garriſons, and is now ready (had he Horſe and Foot, the Seaſon beginning to be good) to take the Field, and to ſhew himſelf a faithful and true Servant to the Parliament: As for the Rebels they are quiet, and ſtir not in thoſe Parts.

From *Scotland*, dated *April* the 6. is thus certified. *David Leſhly* hath taken in *Anthenden* Caſtle, which was ſurrendred upon Summons, Colonel *Lewis Gourdon* Governour, and the Men 30 in Number Priſoners at Mercy; he hath alſo taken another Houſe near *Bruntricke*, Commanded by one *Mortimor* (an Arch-Rebel) who capitulated for his own Life, the reſt to the Number of 26 were hanged,

An. 1647. hanged, and when he hath taken two or three Places more about *Bucquaine*, it is believed he will march through the Vale.

Since the mentioning of the former Letter from *Cork*, came a Letter from *Brandon*-Bridge, *March* 20. 1646. and it speaks sadly, as by the Sequel.

Sir, Since this my last Letter, News came here to Mr. *Ellwell*, That there is a Discovery of the unparallel'd Murthers committed by *Kerry*-men (*viz.*) That near about 60 Men, Women, and Children were stripped in *Kerry*, and coming from thence towards our Protestant Quarters, were taken and thrown into a deep rocky Cave, about the *Mangerton*, and impossible to get out, some having broke Arms, Legs, with other Limbs fractured, and most grievously wounded, lay there and starved, being impossible to relieve them.

On April 14. 1647.

THE House of Commons ordered, That a Letter should be written to Colonel *Mitton*, that he should take special Care to expedite the slighting and demolishing of the Castles and Garrisons in North-*Wales*, according to the former Order of the House.

The House of Commons resumed the Debate according to former Order, concerning the procuring his Majesty's Answer to the last Propositions of both Houses, presented to his Majesty at *Newcastle*, and likewise to the Bill for the Sale of Bishops Lands.

The House had much Debate herein, and Ordered that a Committee should be appointed to draw up Instructions for such Commissioners for Sale of Bishops Lands, as shall be named by both Houses for this Purpose, and a Committee was chosen accordingly.

A Petition was this Day read to the House, in the Name of the reduced Officers, late under the Command of *Ferdinando* Lord *Fairfax*, most of which raised their Troops at their own Charge, and upon disbanding had not their two Months Pay, or fifth Part paid them as others had.

A Letter was likewise read from his Excellency Sir *Thomas Fairfax*, on Behalf of the Petitioners; upon the Debate of the Business the House ordered to give them a fifth Part of their Arrears, and this Money to be charged on *Goldsmiths-Hall* in Course.

On April 15. 1647.

A Report was made to the House of a Conference had with the Lords, concerning the Lords Alterations in the Ordinance for the University of *Oxon*, That the Lords concurred with the House of Commons in all Things, except the Addition of Names to the said Ordinance, giving Reasons why the same should not be added.

The House of Commons ordered to adhere to the Addition of Names, as they were sent up to the House of Peers, and for this Purpose appointed a Committee to draw Reasons to satisfie their Lordships, why the same should stand.

They ordered that the Committee for this Ordinance shall meet and consider of a fitting Maintenance for the Masters and Heads of the two Universities.

That the Committee to consider of giving competent Maintenance to the late Bishops, should meet constantly, till they have dispatched that Business; and this Order was grounded upon a Petition from some of them.

That

That the Committee for *Ireland* fitting at *Derby-Houfe* do meet daily, notwithftanding the Adjournment of the Houfe.

That the Committee for *Ireland* fitting in the Star-Chamber, fhall fign all Warrants for Monies for the Service of *Dublin*.

The Bufinefs for fettling the Militia of *London* was then taken into Confideration, and an Ordinance was read, giving Power to the Lord Mayor, Aldermen, and Common Council of *London*, to Select Thirty one Perfons of the City, to govern the Militia of the City, and the Liberties thereof, for one Year and no longer, which was read and affented unto.

Upon April 16, 1647.

THE Houfe further confidered of Profecuting the Affairs of *Ireland*; and

Ordered, that 12000 *l.* fhould be advanced upon the Credit of the 200000 *l.* to be borrowed of the City, for the Tranfporting of the Forces defigned for *Ireland*.

That the Lord Mayor fhould be defired to call a Common Council concerning the 200000 *l.* to be borrowed of the City, to the end the Houfe may receive Satisfaction therein.

On April 17, 1647.

THE Houfes fate not; but there came a Letter of the Proceedings of the Commiffioners fent down to the Army, *viz.*

That on *Thurfday* there came to *Walden*, the General's Head Quarters, The Earl of *Warwick*, Lord *Dacres*, Sir *William Waller*, Lieutenant General *Maffy*, and Sir *John Clotworthy*, Commiffioners appointed by the Committee at *Derby-Houfe*, to make Propofitions to the Army for *Ireland*; concerning which Bufinefs, I fuppofe you are defirous to receive Satisfaction; and upon ftrict Inquiry (with what alfo I was my felf an Eye-Witnefs) have fent you this Account. His Excellency invited the Commiffioners to Dine with him on *Thurfday*, and had before fent forth Orders to every Regiment, for the Officers to meet at the Head Quarters that Afternoon; many Officers appeared, and met at the Church in *Walden*, where after fome Confultation about the Bufinefs of going into *Ireland*, there were nominated Lieutenant General *Hammond*, Colonel *Lambert*, Colonel *Rich*, Colonel *Lilburn*, and Colonel *Hewfon*, to reprefent their Senfe to the Commiffioners. After Dinner near 200 Officers came down to the General's Quarters, where the General and Commiffioners were prefent; The Commiffioners caufed the feveral Votes of both Houfes to be read, concerning their Power to tranfact, and make Propofitions to fuch as willingly would undertake for *Ireland*. The Conditions I fuppofe you have heard, and therefore I fhall not particularize them. They alfo read the Votes for the Payment of fuch Forces as fhall remain in *England*.

Thefe Votes being read by the Earl of *Warwick*'s Secretary, the faid Earl made a Pathetical Speech, ufing many Exhortations to the Officers to accept of thofe Terms, and undertake for *Ireland*, fetting forth both the Neceffity and Concernment of that Service, and the great Honour many had got by being Soldiers abroad; His Excellency encouraging the Officers to engage themfelves in the Service, and much preffed them with the Neceffity thereof.

An. 1647. After this it was desired by Colonel *Lambert*, in the name of the Officers, to know what Satisfaction the Parliament had given to those four Queries they made at the last Convention, concerning Arrears, Indempnity, Maintenance in *Ireland*, and Conduct: Sir *John Clotworthy* endeavoured to possess the Officers, that by the aforesaid Votes they were all answered, except that of Indempnity; and of that he said, no doubt but the Parliament would take care, and had given Instructions to the Judges in the mean time, not to receive any Indictments against Soldiers for things done in *tempore & loco Belli*, till the Ordinance could be brought in. But then it was moved concerning Commanders. He answer'd, Major General *Skippon*, and Major General *Massy* were named by both Houses for General and Lieutenant General; for other Commanders, the Parliament had not yet nominated any. To this was objected, That some of the Officers understood of the Unwillingness of Major General *Skippon* to take that Employment; Sir *John Clotworthy* said the House had no such Information, and that there came a Letter from the Major General to the House on *Wednesday*, whereby they perceived he had not then received the Votes of both Houses of his being General, so that there could be no ground to think that he would refuse it, till he had declared himself so to the Parliament. Colonel *Hammond* declared, that if they had Assurance that Major General *Skippon* would go, he doubted not, but a great part of the Army would engage in that Service, which otherwise would not, such is the great endeared Respect, and high Esteem the whole Army in general have of the Worth and Valour of that great Soldier. And this was further seconded with a Proposition, that if they might have the General Officers of whom they had so much Experience. To this the Officers cryed out, all, all; and others, *Fairfax*, and *Cromwell*, and we all go. The Commissioners seeing they could make no Impression upon the Officers in general, without Satisfaction in Conduct, (which is so much desired) in the Issue declared, that such of the Officers as would go for *Ireland*, upon the above-mentioned Conditions, should come to their Lodgings in the Town, where they would give them further Satisfaction. Hereupon the Convention was dismissed, and the Town very full before, was suddenly emptied; there being only Lieutenant Colonel *Peckham*, Captain *Kempson*, Captain *Dorme*, and five or six other Officers of Colonel *Lilburn*'s Regiment, and some few others from other Regiments, that have yet presented themselves to go for *Ireland* upon the above specified Conditions; the rest of the Officers who were in the Church, drew up and subscribed this Declaration following, to prevent the Misrepresentation of their Proceedings, wherein they said they formerly suffered Prejudice, *viz.*

Saffron-Walden,
April 15, 1647.

Officers of the Army named, to represent to the Parliament their Proceedings.

WHereas the Officers of the Army being met together, by Order from the General, in pursuance of the Desires of the Committee of Lords and Commons for *Irish* Affairs at *Derby-House*, and to advise what Satisfaction to give the Commissioners now come hither, upon their Demands to the Propositions of both Houses, concerning the Business of *Ireland*, It was agreed by all the Officers there convened, whose Names are Subscribed, That Lieutenant General *Hammond*, Colonel *Hammond*, Colonel *Lambert*, Colonel *Lilburn*, Colonel *Hewson*, and Colonel *Rich*, should be desired to represent the Sense of the rest of the Officers as followeth.

1. To

1. To represent their Desires, to know what was done in reference to the last Propositions sent unto the Parliament by way of Query.

2. To represent, That all those who in their own Persons do not engage for *Ireland*, would be ready to promote the Service.

3. That if the same Conduct they have had, under which God hath so exceedingly blessed this Army and Kingdom, might be continued also as to the Service of *Ireland*, it would conduce much to their Encouragement and Personal Engagement.

Lastly, That there was nothing afterwards delivered at the meeting with the Commissioners by any of the aforesaid Gentlemen, but what was generally approved of as the Mind and Sense of all the Officers. This Declaration was subscribed presently by 100 Officers, and the Horse Officers all generally subscribed it on *Friday*.

Sir, This is all the Account I can give you of this Transaction, I shall leave it to your Observation to consider, what it is that will much expedite the Officers in their Engagements for *Ireland*. His Excellency hath this day granted a Warrant to Captain *Howard*, to draw Colonel *Fleetwood*'s Regiment to a Rendezvous at such time and place as he shall think fit, to make known what he hath to say for their Encouragement to go into *Ireland*. There is since also some of the Officers of the General's Regiment that have subscribed to go, and some in Colonel *Rainsborough*'s, one Captain and some Lieutenants in Colonel *Hammond*'s, few Horse Officers, but Captain *Howard*, Colonel *Sheffield*, and some of Colonel *Rich*'s Regiment, Colonel *Butler*, Major *Fincher*, Major *Alford*, and Major *Ducket*, whose Subscriptions are sent up to the Parliament. The General hath at the desire of the Commissioners granted an Order, that the Officers shall draw out as many of their Men as will engage and march with them to *Bridge-North* in *Shropshire*. I shall not trouble you further at present.

April 16, 1647.

Your Servant.

On April 19, 1647.

THE Houses not sitting, we will briefly collect something only of what came by Letters from other Parts of the Kingdom. And first from *Holmby*: We understand the *Dutch* Ambassador came thither last *Thursday*, and had Audience in Publick that Afternoon, and acquainted his Majesty with the Death of the Old Prince of *Orange*.

The King continues very pleasant, spends some time at Bowls and other Recreations, and some time for Study.

The Earls of *Lauderdale* and *Dumfarling*, came this day to *London* from *Scotland*, with Commission to joyn with the Commissioners of the Parliament of *England*, to press the King to take the Covenant, and sign the Propositions.

From *Westchester* came Letters this day thus, The Regiment of Colonel *Cassel* is arrived at *Dublin*, Colonel *Hungerford*'s Regiment 600, to which will be added 200, and will away with the first fair Wind; no news of Colonel *Birch* his Regiment, yet Captain *Parson*'s Troop, which hath lain ten Weeks in the *West*, to go to *Munster*, is come to this Town; they go with others, in all 340, to *Dublin*, under Colonel *Jones*, and will pass when Sir *Robert Meredith*, Sir *Robert King*, and Mr. *Ansley* Commissioners go for *Dublin*. Besides these Forces are gone for *Munster*; The Regiments of Colonel *Long*, and others, are shipping from *Bristol*.

They say the Lord of *Ormond* is to be made a Marshal of *France*.

The Lord *Digby* is now in *Dublin*, and brought with him a new *French* Agent over thither.

*An.*1647.

On April 20, 1647.

A Great Company of the Apprentices of *London* attended the Houſes, in purſuance of their former Deſires for Days of Recreation, and they preſented a ſecond Petition to the Houſe of Commons, deſiring an Anſwer of their former, and that ſome ſpeedy Satisfaction might be given to the Petitioners.

The Commons had a great Debate about the ſame; and after referred it to a Committee, to draw up an Ordinance for the aboliſhing of all Feſtival and accuſtomed Holy-days, and for the appointing the ſecond *Tueſday* in every Month, a day of Recreation for all Apprentices, Scholars, and Servants in the Kingdom, with ſuch Bounds and Limits ſtill to be obſerved againſt Tumults, Diſorders, unlawful Sports, *&c.* on that day.

The Buſineſs of the Church, appointed to hold for fourteen days, was renewed this day; and the Obſtructions to the Government of the Church in the Presbytery, and the Amendments to be Remedies thereof, were reported to the Houſe, and much Debate had thereon, and at laſt aſſented unto, and the Lords Concurrence to be deſired. An Addition to the ſeveral Claſſes of *London* and the Liberties was likewiſe read and paſſed.

The Anſwer of the City concerning the advance of 200000 *l.* was this day reported to the Houſe from the Common Council alſo, and the Cities Propoſitions for their Security for the ſaid Sum, which conſiſted of ſeveral Heads, (*viz.*) the Remainder of Biſhops Lands, after the 400000 *l.* and Expences are paid out, likewiſe the Lands of Delinquents excepted, and alſo ſuch Papiſts as have been in actual War, *Goldſmiths-Hall* and the Exciſe in courſe, others failing.

The Houſes hereupon Ordered, That the City of *London* ſhall have the Remainder of Biſhops Lands, Papiſts, and excepted Perſons Eſtates (their Debt before *April* 1642. being firſt ſatisfied) and the Exciſe in courſe for their Security for this Money, and an Ordinance to be drawn up to this purpoſe.

The Houſe had further Debate, and Ordered, That the 12000 *l.* formerly Ordered for the Service of *Dublin*, to be borrowed upon the Security of the 200000 *l.* be made up 20000 *l.* and that it be employed for the Service of *Ireland*.

From the Army, by Letters dated *April* 19. We underſtand that the Proceedings of the Commiſſioners for getting Horſe and Foot to go for *Ireland*, proves not ſo effectual as was expected, there being very few diſpoſed that way, unleſs with their own Commanders. Lieutenant Colonel *Kempſon* gave Orders for Colonel *Lilburn*'s Regiment to march this day towards *Cheſhire*, ſome giving out the Colonel was now diſcharged of it; but the Soldiers imagined the Deſign was for *Ireland*, and Colonel *Lilburn*'s Captain Lieutenant told his Company they ſhould have no Pay till they advanced further from the Army; thereupon ſixteen of them (though at firſt afraid to engage in the buſineſs) reſolved to complain, ſeeing they were likely to be led into *Ireland* againſt their Conſent, their Lieutenant Colonel having not propoſed Conditions to them, nor made known the Votes of the Parliament, and their Colonel having Ordered their March another way; coming into the Head Quarter, they were brought to the General, they declared to his Excellency their Complaint; his Excellency

lency told them, as to Pay he would take order with their Captain, but withal used some Arguments to move them to go for *Ireland*; they cried that they would be willing to go for *Ireland* with his Excellency, and their other Commanders; but for those Officers who had undertaken to lead them, they had not well used them here, and they might justly fear worse Usage in *Ireland*; and they had served the Parliament, some three, some four Years, and now desired to return to their Trades; that the whole Company was of that mind. The General went presently to the Commissioners, to acquaint them therewith: Declared his Desire, that as the Service might be promoted, so the Soldiers might be fairly dealt with, and the Work better advanced, than by engaging Men in indirect ways; to that Purpose, that the Votes of the House might be read to them, that they might know their Conditions, and that those who stayed here might not lose their Pay. This was thought reasonable, and the General had before given order for the drawing up of the following Letter, to be sent with the Votes to the several Regiments, and read. This day Colonel *Lilburn*'s Regiment is to be drawn to a Rendezvous, and the Letters and Votes to be read to them; this they say, That were the old Commanders entertained, the greatest part of the Army would engage for *Ireland*, and be ready for Service this Summer. 23 *Caroli.*

The General intended for *London* this day, but his Excellency received a Letter from the Committee at *Darby* House, desiring his stay to advance the Service of *Ireland*, which he was before, at the Desire of the Commissioners, resolved to do, though the weak Constitution of his Body calls upon him to use the Means for recovery of Health, and preservation of Life. *That the General intends for* London.

The Letter his Excellency caused to be sent to the Officers of every Regiment, is as follows.

SIR,

Whereas at the last Meeting of the Officers of the Army at Saffron-Walden, *I declared in the Presence of the (Lords and Commons) Commissioners of Parliament, to all the Officers then present, as also to such Officers as have since that time come to the Head Quarters, That they should make known to their several Regiments the Intention of the Parliament, to send a considerable Force of such of this Army as are willing to go into* Ireland, *for the reducing of that Kingdom; desiring them also to make known my Desire to advance that Service, and to prevent any hindrance thereof: And that if any Officers stand not disposed to engage in Person in that Employment, yet that they should promote it, in making known my Desire, and the Votes of both Houses, for the Encouragement of such as shall engage in that Service. I do therefore desire you to publish this Letter, together with the said Votes, by reading the same unto your Regiment. In expectation whereof, I remain* The General's Letter to the Officers of every Regiment, to promote the Service for *Ireland.*

Your assured Friend,

Walden, April
18, 1647. *Thomas Fairfax.*

For Colonel, or the Lieutenant Colonel, or other Officers in chief with that Regiment named in the Directions.

On April 21.

A Report was made from the Committee appointed to consider of the Arrears of the *Scots* Officers, that the Sum of 17000 *l.* was due unto the Petitioners for Arrears, but charged not them with any free Quarter, Billet, Horse or Arms of the States, *&c.* The *A Report of* Scots *Officers Arrears* 17000 *l.*

An 1647. The House hereupon Ordered, That the third part of the said Sum should be abated for free Quarter, Horse and Arms, *&c.* which the Committee did not charge them with, and that the Remainder should be paid to the said Officers, in full Discharge of all Arrears due unto them.

Instructions were this day Reported for the Commissioners that are to attend his Majesty, to get his Majesty's Assent to the Propositions, and to take the Covenant, which were assented unto, and Ordered to be sent to the Lords for their Concurrence.

Ordered further, That the King's Assent be desired to the Ordinance for putting Bishops Lands into the hands of Trustees, and likewise to the Ordinance for the Sale of Bishops Lands.

The House then also took into consideration the Extraordinary good Service done by Mr. *John Torrant*, one of Sir *Thomas Fairfax* Messengers, by which this Kingdom now receiveth great Benefit, being a secret Service, there being likewise a Recommendatory Letter in his behalf read in the House from his Excellency. Hereupon Ordered, that the Arrears of Mr. *Torrant* be paid off, and that he shall have the Sum of a hundred Pounds for his Extraordinary Services to this Kingdom.

An Ordinance was this day read in the House for Repayment of the Monies long since borrowed of one Mr. *Stewart* for the Service of the State, and upon the Question assented to.

The Commons sent a Message to the Lords with the Votes for the Security of the 200000 *l.* and some other Papers brought up by Sir *Philip Stapleton.* To which their Lordships answered, they would send Answer by Messengers of their own. Their Lordships ordered to take into consideration the Votes concerning the Security for the 200000 *l.* which was read.

On April 21, 1647.

LEtters came from the Parliament's Commissioners at *Holmby*, acquainting the House with the great Resort of People to his Majesty, to be touched for the Kings Evil.

The House hereupon Ordered, that a Declaration shou'd be drawn up, to inform the People of the fond Superstition of being touched by the King for the Evil. And a Committee was appointed to draw up a Declaration to this purpose.

They Ordered that a Letter of Thanks should be drawn up, to be sent to the Commissioners at *Holmby*, to give them Thanks for their Care and Faithfulness in all their accounts in that Service.

They likewise proceeded in the business of the Church, and passed several Orders. And first, That the Assembly should be requested to return to the House the Articles of the Church of *England*, and the several places of Scripture thereunto.

And further, That this day sevennight the House do consider of the Confession of Faith presented by the Assembly, the first business, and nothing to intervene.

A Report was this day made to the House, of the transaction of the Parliament's Commissioners in his Excellency's Army.

Several Letters from his Excellency, and others from the Commissioners there to the Committee of *Darby-House*, were read.

A Report was likewise made of the Letters set forth by his Excellency, to encourage all the Officers and Soldiers of his Army, to undertake the Service of *Ireland*, which was read at the Head of several Regiments of the Army.

The

The House had some Debate on a Paper presented them under the Title of a Declaration of the Officers of the Army, but generally disclaimed, as is certified by the Officers.

From the Army we understand further, by Letters to this purpose: That Yesterday Colonel *Lilburn*'s Regiment were drawn forth to a Rendezvous near *Hinkston*; Five Companies drew into the Church, where the General's Letter (we gave you before) and the Votes of both Houses, (for the Encouragement of such as should undertake for *Ireland*) were read, upon which about sixty of the five Companies drew forth for *Ireland*, the rest returned to their Quarters. Whilst this was in agitation, Lieutenant Colonel *Kempson* drew the four Companies (which were without) towards *Cheshire*, having the last three Weeks Pay for the Regiment with him. The Soldiers were the rather induced to follow him (though the General's Letter, nor the Votes were communicated to them) because they saw their Officers, Colours, and Money go.

Lieutenant General *Massy* was present in the Church.

Colonel *Herbert* came to the Head Quarter Yesterday Morning, where he declared to divers Officers, that he was come to attend the Commissioners, but could give them little Encouragement, for all his Officers and Soldiers had declared themselves against going for *Ireland*, unless they might have their Arrears, but he would do his utmost to perswade them, and afterwards he (having dined with the Commissioners) came to take his leave of his Excellency, and to acquaint him, that he and his Regiment were to go for *Ireland*. The General encouraged him to the Service, and gave him an Order to draw forth his Regiment to a Rendezvous at *Hitchin* in *Hertfordshire*, on *Friday* the 28*th*.

Last Night his Excellency received a Letter from the Commissioners here, That they were informed by Lieutenant General *Massy*, that part of Colonel *Lilburn*'s Regiment was marched for the Service of *Ireland*, some whole Companies, and some part, and that it would be contributary to the Service to give them the Countenance and Encouragement of Colours; to which his Excellency (for the furtherance of the Service) condescended, and returned answer, That he was willing, that such as marched with their whole Companies, should have their Colours with them. There was one of Colonel *Lilburn*'s Companies wanting, being marched towards *Suffolk*.

His Excellency has granted an Order to Captain *Ohara*, to draw Colonel *Hammond*'s Regiment to a Rendezvous, and to draw forth such of the Regiment, as will engage with him for *Ireland*.

Captain *Howard* hath drawn forth Colonel *Fleetwood*'s Regiment to a Rendezvous, according to his Excellency's Order; and made known the Parliament's Votes to them, but cannot obtain any considerable part of them to go with him; yet the Soldiers express much Civility towards his own Person, but declare they were not satisfied in other respects.

Major General *Skippon* 'tis said is come from the *North*, and on his way as far as *Huntington*, but much weakned in Body, by reason of his Wounds, Age, and other Infirmities; so that tho' his Heart be for the Service (as doubtless his valiant Spirit is) yet his present Weakness pleads rather for an Exemption.

The Commissioners in the Army intend to come back towards *London* to Morrow.

His Excellency Sir *Thomas Fairfax* came to *London* this Night.

On

An. 1647.

On April 23, 1647.

THE House this day, according to former Order, debated the Articles of *Truro*, and Ordered, That all such Letters as were sent by the General to the Speaker, in the behalf of the Persons concerned in the Articles, according to the said Articles, for the Favour of the House in their Compositions, shall compound at two full Years Value, and no more, according to the full Value of their Estates in the Year 1640. and that they be enjoyned to pay their twenty fifth Parts also. That it be referred to a Committee, to make some Alterations in the Propositions, according to the Debate this day had; the Houses having pardoned and admitted some to Compositions, since the last presenting of them which were deeply included therein.

A Message came from the Lords, with some Amendments to the Ordinance for securing the City of *London* 200000 *l.* to be borrowed of them, their Lordships desiring that *Goldsmiths-Hall* may be part of the Security of that Sum. The House did much debate about this Business, being of great Concernment to the whole Kingdom, and Ordered the House should adhere to their first Votes, and so dissented.

The Petition (presented and subscribed by many Citizens of *London*, and referred to Colonel *Leigh*'s Committee, wherein the Word (*Supream*) was mentioned) was formerly Ordered to be debated this Day, which occasioned many of the Petitioners to be at the House, where they waited 'till five at Night, but had no Answer given them.

The House this day, according to former Order, resumed the Debate of the Report Yesterday, concerning the Commissioners Transactions in the Army.

A List is returned of such Officers, Horse and Foot, as have undertaken for the Service of *Ireland.*

Briefly thus, There is one Colonel and two Captains of Horse returned upon the List.

One Major, and four Captains of Dragoons, two of which Captains have only engaged to go on such Terms as they shall approve of.

Officers of Foot, Colonel *Herbert*, and Lieutenant Colonel *Kempson*, are two Field Officers.

The Captains that have subscribed, are in number about twenty; the rest Lieutenants, and inferior Officers. Or more particularly thus,

There are upon the List returned in all, Officers of Horse 17, of Dragoons 7, and of Foot 87.

It was hoped these particular Officers would have been able, every Man respectively, to carry over his several Troop or Company of Foot; but it is certified, that one Officer who had Eightscore in his Company, could get but 26 that would go along with him for *Ireland*, and another Officer not one Man in the whole Company: It is to be wished the rest be enabled to perform what they have undertaken, or otherwise it may prove very inconvenient to the Service of *Ireland.*

The House had a very large Debate as to this Business of the Army; and whether the Army should be disbanded, and what Pay to give them before Disbanding; or whether it be not more convenient

venient to send the Army intirely into *Ireland* for the reducing of that Kingdom. And it was Ordered to resume this Debate on *Tuesday* next, and no other Business to intervene, and by that days Debate you will understand the Issue.

The Houses met not on *Saturday*, having adjourned till *Tuesday*.

On April 26, 1647.

A Perfect List (delivered *Munday*, *April* 26. by the Commissioners that went down to the Army, unto the House of Commons) of such Officers of the Army as have engaged themselves for the Service of *Ireland*, viz.

In Colonel Tho. Sheffeild's *Regiment of Horse.*

Tho. Sheffeild Colonel.
Richard Young Captain Lieutenant.
Richard Comber Cornet.
Robert Arthur Quarter-Master.
Captain *Robothom*'s Troop.
Michael Hale Lieutenant.
Henry Dethick Quarter-Master.
Robert Dawes Lieutenant.
Charles Martin Cornet.

Captain *Martin*'s Troop, *Tho. Hey* Quarter-Master of this Regiment. None as yet drawn forth.

In Colonel Rich's *Regiment of Horse.*

Major *Alford*'s Troop, *Francis Rawson* Cornet.
Captain *Tho. Nevil*'s Troop, *Ralph Hooker* Lieutenant.
Captain *Ireton*'s Troop, *Edward Lisle* Lieutenant of this Regiment. None as yet drawn forth.

In Colonel Graves's *Regiment of Horse.*

William Lord *Cowfeild*'s Troop; none as yet drawn forth.
In his Excellencies Life Guard, *Henry Hall* Captain, *Andrew Goodhand* Captain Lieutenant; none as yet drawn forth.

In the Regiment of Dragoons.

Major *Nicholas Moor*'s Company, *William Phillips* Cornet. Captain *Farmer*'s Company, *Harrold Skermages* Captain, *Hen. Fulcher* Lieutenant. Captain *Woodan*'s Company, *Edward Wogan* Captain. Captain *Farr*'s Company, *Ralph Farr* Captain. None of this Regiment as yet drawn forth.

In his Excellency's Regiment of Foot.

His Excellency's Company, *Lewis Awdley* Captain Lieutenant, *Charles Bolton* Ensign. Major *Gooday*'s Company, *Watson* Lieutenant, *Wild* Ensign. Captain *Muscott*'s Company, *Fulke Muscott*, Captain *Heyden*, Lieutenant *Cope*. Captain *Heyfeilds*'s Company, *Tho. Heyfeilds* Captain, *Stokeham* Lieutenant, *Miller* Ensign. Captain *White*'s Company, *Gore* Ensign. Captain *Wolfe*'s Company, *Tho. Phillips* Lieutenant, *Caleb Burges* Ensign of this Regiment. None as yet marched.

An. 1647.

In Colonel Hammond's *Regiment of Foot.*

Major *Saunders*'s Company,
John Thompson Lieutenant,
Tho. Wood Ensign.
Captain *Ohara*'s Company,
Charles Ohara Captain,
Bedinfeild Cremer Lieutenant.
Captain *Isr. Esmithi*'s Company,
John Mathews Lieutenant.
Captain *Puckle*'s Company,
John Bishop Ensign.

Captain *Boyse*'s Company, *John Togle* Lieutenant, *Godfry Pert* Ensign. Captain *Stratton*'s Company, *Rich. Bernard* Lieutenant.

Captain *Rolphe*'s Company, *Josiah Slader* Lieutenant, *Rich. Taylor* Quarter-Master, *Basingborne Layer* Waggon-Master. About 400 of this Regiment upon their March.

Captain *Ohara* hath Orders to march with his Company to *Olne*, *Newport Pannel*, and *Wilne* Hundreds in *Northamptonshire* and *Bedfordshire*.

In Colonel Rainesborough's *Regiment of Foot.*

Captain *Brown*'s Company, *John Brown* Captain, *John Herrick* Ensign. None as yet marched.

In Colonel Sir Hardresse Waller's *Regiment of Foot.*

Colonel *Waller*'s Company, *James Knight* Captain Lieutenant.
William Pope Ensign.
Lieutenant Colonel *Salmon*'s Company,
Lewis Northcott.

Lieutenant Major *Smith*'s Company, *Samuel Clase* Ensign. Captain *Thomas*'s Company, *Daniel Thomas* Captain, *Nathaniel Chase* Lieutenant, *Edward Allen* Ensign. Captain *Clark*'s Company, *John Clark* Captain, *Ralph Wilson* Lieutenant, *Smith* Ensign. Captain *Howard*'s Company, *William Howard* Captain, *William Hopkins* Ensign. Captain *Elzerye*'s Company, *Thomas Flilkings* Lieutenant. Captain *Ask*'s Company, *William Laudgredge* Lieutenant. Captain *Holden*'s Company, *Humphrey Hartwell* Lieutenant, *Slow* Ensign. Captain *Stoddard*'s Company, *Deakins* Ensign. None of this Regiment as yet marched.

In Colonel Fortescue's *Regiment of Foot.*

Captain *Young*'s Company, *Arthur Young* Captain, *Thomas Jones* Lieutenant, *Owen* Ensign. Captain *Pooley*'s Company, *Richard Pooley* Captain, *William Read* Lieutenant, *Richard Hart* Ensign.

Captain *Denison*'s Company, *John Denison* Captain, *William Baley* Lieutenant, *George Forker* Ensign

Captain *Cope*'s Company, *John Cope* Captain, *Nicholas Luke* Lieutenant, *Mathew Marvel* Ensign.

Captain *Bushell*'s Company, *John Bushell* Captain, *Jo. Ferrers* Lieutenant, *Rich. Cordee* Ensign. Captain *Whitton*'s Company, *Roger Jones* Lieutenant. About 400 or 500 of these upon their March.

Colonel

Colonel *Graves* hath, on the Officers Desire, Order to go to *Browsgrove* in *Worcestershire*, and there to Quarter these Companies.

In Colonel Ingoldsby'*s Regiment of Foot.*

Lieutenant Colonel *Kelsoy*'s Company, *Tho. Jones* Lieutenant. Major *Duckett*'s Company, *Charles Duckett* Captain. Captain *Wagstaff*'s Company, *Christopher Mathews* Lieutenant. None as yet marched of these. Lieutenant *Jones*, and Lieutenant *Mathews*, have Orders to march with the Lieutenant Colonel, and Captain *Wagstaff*'s Company to *Browsgrove* in the County of *Worcester.*

In Colonel Harly'*s Regiment of Foot.*

Captain *Forgison*'s Company, *John Forgison* Captain. Captain *Parson*'s Company, *Walter Croker* Lieutenant. None as yet marched.

In Colonel Herbert'*s Regiment of Foot.*

Colonel *Herbert*'s Company, *William Herbert* Colonel, *Charles Auberry* Ensign. Lieutenant Colonel *Read*'s Company, *Bartholomew Helby* Lieutenant. Captain *Lundey*'s Company, *Richard Lundey* Captain. Captain *Melvin*'s Company, *John Melvin* Captain. Captain *Spooner*'s Company, *John Duckley* Lieutenant. Captain *Short*'s Company, *Nathaniel Short* Captain, *William Hodgskins* Lieutenant. About 400 of these upon their March.

The Colonel Ordered to march with his Regiment to *Skipton* upon *Stower*, he hoping to engage divers other Officers, and little less than the whole Regiment.

In Colonel Lilburn'*s Regiment of Foot.*

Colonel *Lilburn*'s Company, *Robert Fish* Captain Lieutenant, *Thomas Noone* Ensign. Lieutenant Colonel *Kempson*'s Company, *Nicholas Kempson* Lieutenant Colonel, *Alexander Frie* Lieutenant, *Levesey Sharpelesse* Ensign. Major *Master*'s Company, *William Master* Major cannot go, but his Brother *George Master* is commended to the Place. *Abr. Clarke* Lieutenant, *George Hope* Ensign. Captain *Peckham*'s Company, *Christo. Peckham* Captain, *Francis Wells* Lieutenant. Captain *Dormer*'s Company, *Francis Dormer* Captain. Captain *Tothurst*'s Company, *James Murrey* Ensign. Captain *Welden*'s Company, *George Welden* Captain, *Shreive Parker* Lieutenant, *James Rose* Ensign. Lieutenant Colonel *Henry Lilburn*'s Company, *Evan Morris* Ensign. Lieutenant Colonel *Kempson* hath Orders to march to *Evesham* in *Worcestershire*. About 300 of this Regiment marched.

These Officers having by their Forwardness and Example, laid a good Foundation of Encouragement to the Service of *Ireland*, we desire the General his Excellency to give them all fit Countenance and Respect, for their further Encouragement upon any occasion of Address by any of them.

22 *April*, 1647. *Subscribed* Warwick, William Waller, Edward Massey, John Clotworthy.

Further, as concerning the Engagement for the Service of *Ireland*, it was informed by Letters this day from the Head Quarters of the Army;

 That

An. 1647.

That *Thursday* last Colonel *Howard* drew forth Colonel *Fleetwood*'s Regiment, and propounded the Service of *Ireland* to them, but could not prevail with any of them.

Colonel *Fleetwood*'s own Troop made a short Narration of what they desired.

Colonel *Sheffeild*'s Regiment was drawn forth on *Friday*, but they gave the like Answer. Captain *Stratton* hath drawn out of the Regiments thirty six Men.

Captain *Ohara* most of his Company, and another Lieutenant half his Captains Company.

All Colonel *Fortescue*'s six Companies marched away, and Adjutant *Gray* Colonel over them. None of Colonel *Hewson*'s marched. And of Colonel *Lilburn*'s almost two Companies of those that marched are returned to the Army. Some strange Expressions (say the Letters) past from Captain *Dormer* to his Soldiers at the General's Quarters; but we had rather they should be forgotten than remembred.

Some Troopers of the four Regiments in *Norfolk*, had a meeting about asserting their former Petition, and some Disturbance was like to be thereabouts; but Major *Huntington* and some other Officers used means to pacifie them, and carry things in an orderly way, and so appointed an Officer and Trooper to meet and advise about the same. And we hope care will be taken that nothing be done disorderly.

Tuesday, April 27, 1647.

THE House of Commons (according to former Order) insisted upon the Affairs of *Ireland*, and the further Report of the Commissioners sent down to the Army. And it was certified the House, That there were Officers of five thousand Foot who had engaged for *Ireland*, and some Regiments were already upon their March. That the Engagement of *Ireland* was obstructed by some Officers in the Army, and some by Name charged therewith. Whereupon, after a long Debate, it was Ordered, That four Officers of the Army should be summoned by the Serjeant at Arms to attend the House.

After this the Commons (having received a Message from the Peers) took into Consideration the Disbanding of the Army, and after a long Debate, it was

Resolved, That the Army, Horse and Foot, should be disbanded with all convenient speed, and they Ordered six Weeks Pay should be given unto them upon their Disbanding.

This day also some Officers of the Army presented unto the House, in the name and behalf of themselves, and the rest of the Officers, a Vindication of the Particulars in their late Petition, which here follows at large, *viz.*

To the Honourable the House of Commons Assembled in Parliament.

The Humble Petition of the Officers of the Army, under the Command of his Excellency Sir *Thomas Fairfax*, on the behalf of themselves, and the Soldiers of the Army,

Humbly Sheweth,

T*HAT your Petitioners being sensible of some Displeasure in this Honourable House against them, through some Misinformation, concerning the carriage and* managing of a late Petition *in the Army, do humbly offer unto your Con-*

sideration

ſideration the Paper annexed, *for the better clearing of our Intentions*; *humbly deſiring your favourable Conſtruction and Acceptance of what is therein contained, according to the Integrity with which it is preſented.*

And your Petitioners ſhall pray, *&c.*

The Vindication of the Officers of the Army under Sir Tho. Fairfax.

THE *Miſrepreſentation of us* and our harmleſs Intentions to this Honourable Houſe, occaſioning hard Thoughts and Expreſſions of *your Diſpleaſure againſt us*, We cannot but look upon as an Act of *moſt ſad Importance*; tending, in our Apprehenſions, to alienate your Affections from your ever truſty and obedient Army; than which nothing can more *rejoyce your Adverſaries*, or miniſter greater hopes of their readvancement: Nothing more diſcouraging to us, who ſhould eſteem it the greateſt point of Honour to ſtand by you, till the Conſummation of your Work, the removal of every Yoke from the People's Necks, and the eſtabliſhment of thoſe good Laws you ſhall judge neceſſary for the Common-wealth.

Out of our Fears therefore of the Advantage may be had therefrom, and that the Honourable Houſe may retain the ſame good Opinion of us they formerly had, (whom God hath hitherto bleſt with abundant Bleſſings) we humbly crave the boldneſs to preſent unto you ſome Reaſons, *to clear our Proceedings* in thoſe Paſſages, which we find moſt obvious to Exceptions *in our Petition.* Whereby we hope to make it evident to you, that we did no more than what *Neceſſity prompted us unto*: That the Means we uſed, and the Method we took, was as we conceived moſt orderly and inoffenſive; proceeding *not in the leaſt from Diſtemper*, and *aiming in no meaſure at Mutiny*, nor in any wiſe *to put Conditions* on the Parliament; and that you will from thence diſcover the Corruptions of theſe Mens Hearts, who have been the *evil Inſtruments of occaſioning your late Declaration againſt us.*

For our Liberty of Petitioning, we hope this Honourable Houſe will never deny it unto us; we know not any thing more eſſential to Freedom, without Grievances are remedileſs, and our Condition moſt miſerable. You have not denied it to your Adverſaries; you juſtified and commended it in your Declaration of the ſecond of *November*, 1642. in theſe Words:

It is the Liberty and Privilege of the People to Petition unto us for the Eaſe and Redreſs of their Grievances and Oppreſſions, and we are bound in duty to receive their Petitions. And we hope, by being Soldiers we have not loſt the capacity of Subjects, nor diveſted our ſelves thereby of our Intereſt in the Common-wealth; that in purchaſing the Freedoms of our Brethren, we have not loſt our own. Beſides, we can inſtance in Petitions from Officers in the Earl of *Eſſex*'s and Sir *William Waller*'s Army, (even whilſt they were in Arms) which were well received by this Honourable Houſe, with a return of thanks; and therefore we hope we ſhall not be conſidered as Men without the pale of the Kingdom, excluded from the fundamental Privilege of Subjects, eſpecially ſince we are conſcious to our ſelves of nothing that may deſerve the ſame.

We have not 'till now appeared in Petitioning, though our neceſſities have been frequent and urgent; not that we doubted our Liberty, but becauſe we were unwilling to interrupt you in your other weighty Affairs. And we proceeded at this time with the greateſt Care and Caution we could of giving the leaſt Offence, intending not to preſent our Petition to this Honourable Houſe, but with the Approbation, and by the Mediation of his Excellency, our ever honoured General, knowing how watchful our Enemies were to make the hardeſt Conſtruction of all our Actions, and repreſent us to you and the World under ſuch terms as may render us moſt odious.

You may ſee the Inſides of them, by *the falſe Suggeſtions* they have already made to you, *of our forcing Subſcriptions*; the unreaſonableneſs and neceſſities of our Deſires, whereof almoſt every Soldier is abundantly ſenſible, will plead the vanity of ſuch an Enforcement; eſpecially when it ſhall be known that the Petition took its *firſt Riſe* from amongſt the Soldiers, and that we engaged but in the ſecond place to regulate the Soldiers Proceedings, and remove as near as we could all occaſion of Diſtaſte.

For

An. 1647.

For our Desires of Indempnity, for such Actions as being not warrantable by Law in time of Peace, we were enforced unto them by the necessity and exigency of the War. We are confident this Honourable House will approve of it, when you shall be informed that the *Soldiers are frequently indicted* at Assizes and Sessions. and otherwise grievously molested for such Actions, and many lately suffering for the same. Notwithstanding that Provision you lately made against it, that divers have had *Verdicts past against them this last Assizes*, for Actions done as Soldiers, (as we are credibly informed ;) if this be practis'd during the time of your Session, for what we did through the exigence of your Service, what cruel and violent Proceedings are we like to find, *after you are pleased to dissolve.*

For the particular Intimation, *That the Royal Assent may be desired*, we never intended it to lessen your Authority ; but since you have by offering the Propositions, judged the desiring the King's Assent convenient ; Since likewise the City of *London* made the same desire without Offence ; and your Orders to the Judges, we know not how effectual they may prove to save us from such Proceedings after your Sessions ; All these Reasons considered, will we hope manifest our Intentions in that Intimation to be only a provident Caution for our future Safety, without the least thought of Disrespect to your Authority. For the desire of *our Arrears*, Necessity (especially of our Soldiers) inforced us thereunto. That we have not been mercenary, or *proposed Gain as our End*, the speedy ending of a languishing War will testifie for us, whereby the People are much eased of their Taxes and daily Disbursements, and decayed Trade restored to a full and flourishing Condition in all Quarters. We left our Estates, and many of us our Trades and Callings to others, and forsook the Contentments of a quiet Life, not fearing or regarding the difficulties of War for your sakes : After all which we hoped that the desires of *our hardly earned Wages* (by the Mediation of our General) would have been no unwelcome Request, nor *argued us guilty of the least Discontent, or intention of Mutiny.*

We know not any thing further in our Petition which hath been excepted against, but your Apprehensions that it tendeth *to hinder the relief of* Ireland, which we do not understand wherein, having always manifested in all our Actions, our readiness to further that Work ; unless you mean by that desire, that those who have served voluntarily, should not be pressed to go out of the Kingdom ; to which we humbly offer this : That those who have *voluntarily served in these Wars*, and left their Parents, Trades, and Livelihoods, and *without any Compulsion* engaged of their own accords, should, after all their free and unwearied Labours, be forced and *compelled to go out of this Kingdom*, whose Peace they have so much endeavoured with unwearied Pains, hoping thereby to have lived and enjoyed the fruits of their Labours, would to them seem very hard ; but besides this, our several Votes and Engagements, *March* 21. to endeavour the Service of *Ireland* what we could *will clear us*, and our good Affections in promoting that Work ; and therefore we hope what hath been said will remove all Scruples, and restore us to the good Opinion of this Honourable House : In assurance whereof, and in consideration of the Premises, we are further emboldned to make these our Requests unto this Honourable House.

1. That you will be pleased to allow us our Liberty of Petitioning in what may concern us now *as Soldiers*, and afterwards *as Members* of the Common-wealth.

2. Since upon the false Suggestions of some Men, informing you, *That this Army intended to enslave the Kingdom*, the Honourable House was so far prevailed withal as *to summon divers of us to appear at your Bar*, and to pass a Declaration, thereby expressing your high dislike of our Petition, *declaring it tended to put Conditions upon the Parliament :* The Sense of such Expressions is so irksom to us, who have ventured whatsoever we esteemed dear to us in this World for Preservation of your Freedom and Privileges, that we cannot but earnestly *implore your Justice in the Vindication of us*, as in your Wisdom you shall think fit.

Thomas Hammond Lieutenant General of the Ordinance.

Colonels.

23 Caroli.

Colonels.

Edward Whaley.
John Lambert.
Robert Lilburn.
Nathaniel Rich.
John Hewson.
Robert Hammond.
John Okey, &c.

Lieutenant Colonels.

Thomas Pride.
Thomas Kelsay.
Thomas Reade.
John Jubbs.
Mark Grime.
Ewer.
Edward Salmon.

Majors.

Mathew Rogers.
Daniel Axtell.
William Cowell.
Thomas Smith.
Thomas Horton.
John Desborough.

Captains.

Adam Lawrence.
James Berry.
William Packer Captain.
Samuel Packer.
John Gladman Captain Lieutenant.
William Disher Lieutenant.
Richard Morris Lieutenant.
Joseph Wallington Captain Lieutenant.
Nathaniel White Lieutenant.
Edmond Chillenden Lieutenant.
Gox Tooke Cornet.
Henry Pretty Captain.
Sampson Toogood Lieutenant.
John Friend.
Francis Wheeler.
George Ensor Lieutenant.
George Gregson Captain.
William Leigh Captain.
Thomas Parsons Captain.
Henry Ball Cornet.
William Farley.
Edmond Rolfe Captain.
John Jenkins Captain.
Abraham Holmes.
John Carter Captain.
John Puckle Captain.
William Arnop Captain Lieutenant.
Thomas Prite Captain.
Thomas Davies Captain.
Edward Orpin Captain.
William Steeton.
Richard Zanchy Captain.
Griffith Lloyd Lieutenant.
William Goffe Captain.
John Mason Captain.
Wartoff Lagoe Captain.
Edward Scotton Lieutenant.
William Cobb Cornet.
John Forgison Captain.
Roger Alsop Captain.
Thomas Disney Captain.
John Nicolas Lieutenant.
John Spencer Cornet.
Richard Masse Lieutenant.
Richard Kempe Lieutenant.
John Biscoe Captain.
James Lloyde.
Mathew Cadwell Captain.
Samuel Rosse Captain Lieutenant.
William Sheares Lieutenant.
Thomas Sheares.
John Jag.
Charles Whitehead Cornet.
John Merriman Lieutenant.
Henry Dorney Lieutenant.
Azariel Husbands Captain.
Charles Bolton Ensign.
Stephen White Lieutenant.
Lawrence Nunny Captain.
Robert Lewis Captain.
William Jones Ensign.
Thomas Cartwright Ensign.
William Weare Captain Lieutenant.
Edward Atkinson Captain.
Francis Hawes Captain.
Richard Wagstaffe Captain.
Giles Sanders Captain.
Hugh Jenkyns Lieutenant.
Benjamin Burges Captain.
Richard Essex.
John Resleden.
Henry Cleare.
T. Penny-father Captain.
Walter Bethel Captain.
Samuel Gardiner Captain.
W. Foster.
W. Milward Captain.
Clem. Arnold.
William Parry.
John Grove Captain.
William Evanson Captain
T. Chamberlain Lieutenant.
John Wright.
John Frend.
Francis Allen.
Thomas Day.
Abraham Davis Lieutenant.
John Tapendeane Captain.
Henry Davis Captain.
Sam. Grame Captain.
Alexander Brafeild Captain.
Tho. Atkinson Captain.
W. Arnold Lieutenant.
John Web Lieutenant.
Jenkin Buen Lieutenant.
George Jenkins Lieutenant.

W. Hill

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W. Hill Lieutenant.
Ralph Gell Lieutenant.
T. Baker Lieutenant.
George Smith Lieutenant.
Samuel Axtell Lieutenant.
Henry Williams Enſign.
Edward Hoare Enſign.
T. Rawlins Captain.
T. Lewis Enſign.
Jer. Cranfeild Enſign.
Robert Nunwings Enſign.
T. Newman Enſign.
John Davis Enſign.
Morgan Porter Enſign.
John Blunfeild.
Nathan Bolet.
W. Powell.
John Savage Lieutenant.
John Shrimpton Lieutenant.
John Mill.
John Grime Captain.
John Reynolds Captain.
T. Mercer Captain.
John Blackwell Captain and Treaſurer.
Tho. Coleman Captain.
John Goodwine Quartermaſter.
John Peck.
William Stiles Captain.
John Miller Lieutenant.
Anthony Lacon Cornet.
Abel Warren Cornet.
T. Savage Quartermaſter.
George Hayes Quartermaſter.
John Adice Quartermaſter.

Reader, take notice that all the Names hereunto Subſcribed are Common Officers, but by reaſon they did not ſet down their Titles, the Publiſher could not make them known to thee.

The Vindication being brought into the Houſe, the Reading thereof was referred 'till *Friday* following.

This Day Enſign *Nicolls* (an Officer in the Army, who was apprehended by Captain *Dormer*, the General being then at the Head Quarters, and ſent up in Cuſtody to the Houſe of Commons) had his Pocket ſearched, and Money and Papers taken from him, attended the Houſe, and remains committed.

Major General *Skippon* this Day declared himſelf, that he would accept of the Service of *Ireland*, conferred on him by the Houſe.

The Lord *Liſle* we underſtand hath left *Ireland*, and landed at *Briſtol*, and is now on his way to *London*.

The Common-Council of the City of *London* ſat this Day, about nominating a new Committee for the Militia of *London*, and which of the old ones ſhould ſtand; and after a long Debate, they outed Alderman *Pennington*, Alderman *Fulke*, Alderman *Warner*, Alderman *Kenrick*, Colonel *Wilſon*, Colonel *Player*, Colonel *Tichburne*, and ſome others; and agreed to this following Liſt, to be preſented to the Houſe for their Approbation.

The Names of thoſe (to be preſented to the Parliament, for the Militia of the City of London) *are as follows*, viz.

The Lord Mayor of the City of *London.*
Major General *Skippon.*
Sheriff *Cullum.*
Sheriff *Edmunds.*
Sir *John Woolaſtone.*
Alderman *Adams.*
Alderman *Langham.*
Alderman *Bunce.*
Alderman *Gibbs.*
Alderman *Avery.*
Alderman *Bide.*
Lieutenant of the Tower,
Colonel *Weſt.*
Colonel *Bellamie.*
Colonel *Turner.*
Colonel *Robert Manwaring.*
Colonel *Gowrie.*
Colonel *Hooker.*
Lieutenant Colonel *Campfeild.*
Lieutenant Colonel *Bellamie.*
Lieutenant Colonel *Bromfeild.*
Captain *Jones.*
Captain *Vennor.*
Deputy *Packe.*
Deputy *Boothby.*
Deputy *Githings.*
Deputy *Arnold.*
Mr. *Edmond Browne.*
Mr. *Glide.*
Mr. *Kendal.*
Mr. *Gaze.*
Mr. *Tempeſt.*
Milner.

The

The Common-Council had likewise presented them Letters from the Parliament of *Scotland*, giving the City Thanks for their constant good Affection and Respect to the Covenant, and the Union of the Nations, &c. which Letters were very acceptably received by the Common-Council, and Thanks ordered to be returned to the *Scotch* Commissioners who presented them. 23 *Caroli.*

Some Debates were likewise upon Mr. *Eastwick* and Mr. *Brett*'s not taking the Covenant.

Wednesday, April 28, 1647.

THIS was the Fast-Day, and Mr. *Ash*, and Mr. *Strong* of *Fleet-street*, preached before the House of Commons; had Thanks given them, and desired to print their Sermons. Doctor *Tempest*, and Mr. *Hughs*, were desired to preach next Fast-Day.

On April 29, 1647.

AN Order was made by the Commons, for a Writ to be issued, for the Election of a Knight of the Shire, to serve for the County of *Norfolk*, in the place of Sir *John Hobert* deceased.

The Assembly attended the House this Day, and were called in, and acquainted the House, that according to the Orders of that House, they had attended them with their Advice upon the 39 Articles of the Church of *England*, and the Texts of Scripture thereunto; and upon the Confession of Faith, with the Texts of Scripture likewise to it.

The House hereupon ordered 600 Copies of the Assemblies Advice herein, should be printed for the Services of the Houses, and the Assembly, and no more be printed; and that none presume to reprint the same, 'till further Order.

The Assembly were again called in, and had the Thanks of the House given them for their Pains therein.

A Report according to former Order, was made to the House, of the Answer of Major General *Skippon* to be Field Marshal; That by reason of his Age and Disabilities, he desired to be excused of that Employment; but seeing he is ordered by both Houses of Parliament, and called thereunto, he shall deny himself to serve the Publick, and obey the Commands of both Houses.

The House hereupon Ordered, That the Field Marshal *Skippon* should have the Thanks of the House returned him, for his Compliance with the Order of the House, and his denying himself to serve the Publick; which was accordingly done by Mr. Speaker: And the House further ordered, That 1000 *l.* be bestowed on the said Field Marshal *Skippon*, for his faithful and good Service to the Kingdom.

The said Field Marshal *Skippon* took his place in the House of Commons this Day, being returned a Burgess for *Barnstaple*.

From the Army came further Intelligence this Day, That Major *Gooday* having read the Parliament's Votes, and General's Letter last *Thursday*, to his Company in the General's Regiment, 47 of them listed themselves to go for *Ireland*; the rest of the General's Regiment that are willing to go for *Ireland*, are to be listed on *Wednesday*.

An 1647.

April 30, 1647.

THIS Day at the first sitting of the House of Commons, the Petition and Vindication presented last *Tuesday* by Colonel *Hewson*, Colonel *Okey*, Captain *Reynolds*, Captain *Goffe*, Lieutenant *Chillington*, and other Officers of the Army, were read; at which time Major General *Skippon* (being in the House) produced a Letter presented unto him the Day before, by some Troopers of several Regiments in the Army, in the behalf of eight Regiments of Horse, wherein they expressed some Reasons why they could not engage in the Service of *Ireland*, under the present Conduct; and complaining of the many Scandals and false Suggestions, that were of late raised against the Army, and their Proceedings; whereupon they were declared Enemies to the Publick; and that they saw Designs were upon them, and many of the Godly Party in the Kingdom, and that they could not engage for *Ireland*, until they were satisfied in their Expectations, and their just Desires granted. This the Major General thought fit to tender to the Consideration of the House. Upon reading whereof the Vindication was laid aside, and the three Troopers (*viz.*) *Edward Sexby*, *William Allen*, and *Thomas Sheppard*, who came with the Letter, (and had presented Copies of the same to the General and Lieutenant General, both which were brought into the House at the same time) were sent for into the House; where several Questions were propounded unto them, concerning the contriving, drawing up, and subscribing of the same. They affirmed it was drawn up first at a Rendezvous of several of those Regiments, and afterwards they had several meetings about it by Agents from each Regiment in several places. Being demanded whether their Officers were engaged in it? They answered that they thought very few of them knew or took notice of it: Then upon intimation, that surely this Letter came by Promotion of Cavaliers in the Army, it was demanded of each of these Troopers severally by themselves, whether they were Cavaliers? To which Answer was returned, that they had engaged in the Parliament's Cause ever since *Edge-Hill* Battle, some wounded there. At *Brainford*, at *Newbury*, at *Henley*, under Major General *Skippon*, and were engaged in all the Services since his Excellency first marched into the Field; and one of them particularly declared, that when he was upon the Ground with five dangerous Wounds upon him, Major General *Skippon* came by, pitying his sad Condition, gave him five Shillings to procure him some Relief; which the Major General in the House did aver to be true. Then they were demanded, what the meaning of that Clause was, wherein the Word a *Soveraignty* was exprest? They severally being called one by one, answered;

That the Letter being a joynt Act of those several Regiments, they could not give a punctual Answer, they being only Agents; but if they might have the Queries in Writing, they should send or carry them to the several Regiments, and return their own Answers together with and comprized in the rest. After all these Examinations, they were Ordered to attend the House upon Summons. Afterwards the House (for the better preventing of any Disorder in the Army) passed several Votes, and Ordered, That Major General *Skippon*, Lieutenant General *Cromwell*, and Commissary *Ireton*, and Colonel *Fleetwood*, be sent down to the Army

to

to acquaint them, that the House would provide a considerable Sum of Money for them before their Disbanding, and their Accounts to be Audited, and an Ordinance to be brought in on *Thursday* next for Indempnity, for Acts done *in tempore & loco Belli.* 23 *Caroli.*

An Order was made this Day, for the Committee of Parliament sent into *Scotland* to return; which was sent to the Lords, and assented unto.

The House of Commons Ordered (by reason of the urgent Affairs of this Kingdom and *Ireland*) to sit to morrow.

CHAP. XIV.

Proceedings in Parliament from May 1, *to* June 3, 1647.

Upon Saturday, May 1, 1647.

THE House of Commons had a further Debate, about the Security of the 200000 *l.* to be borrowed of the City of *London*, and the Question was put; whether the Receipts of *Goldsmiths-Hall* should be given as part of the Security; and it was resolved in the Negative.

A Conference was had upon this business with the Lords, and at last both Houses agreed to the Security.

A Message was likewise sent from the Lords, desiring that a Common Council may be called on *Monday* next in *London*, that the Committee formerly appointed may go to the City about the business of the 200000 *l.* and to satisfie them concerning the Security agreed on. This was assented unto, and Members appointed to desire the Lord Mayor to call a Common Council accordingly.

An Ordinance for the securing many poor Men of the City, that was not able to advance as much more, which they advanced before, was read, and Ordered to be read again the next Week.

Colonel *Rainesborough* Ordered 6000 *l.* to be advanced by the Committee of the *Navy*, (upon the Security of the Ordinance for 200000 *l.*) to be employed for the Service of reducing *Jersey*. Ammunition Ordered him for this purpose.

The Committee at *Derby-House* Ordered to grant him a Commission, for Commanding in chief the Forces of *Jersey*.

The House was then informed, That the four Officers (sent for out of the Army) were come up, and attended the House; whereupon, after some Debate, the Question was put, Whether the said Officers should be called to the Bar; and it was resolved on in the Negative.

The Petition of many thousand well-affected Citizens of *London*, (who have long waited for an Answer) was Ordered to be read next *Tuesday*.

And it was likewise Ordered, That the Ordinance for Indempnity, and taking the Accompts of the Soldiers, be read *Thursday* next, the first business. After this the House adjourned till *Tuesday* next.

This Day a Proclamation was sent to be published in several places of *London*, from his Excellency Sir *Thomas Fairfax*, in Prosecution

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secution of an Order of the House yesterday, and is in these words, (*viz.*)

Sir *Thomas Fairfax* Knight, Commander in Chief of the Forces raised by the Parliament.

I Do hereby straightly charge and require all Officers (belonging to the Army, under my Command, now within London, *and the Lines of Communication, or thereabouts) to repair to their several Charges in the Army, within twenty four Hours after the Publication thereof, upon pain of such severe Punishment as shall be inflicted upon them for their neglect therein. And this be published by Sound of Trumpet.*

Given under my Hand and Seal in *Queen-street*, the first of *May*, 1647.

This Day the Lord *Lisle* (late Lord Lieutenant of *Ireland*) Sir *Hardresse Waller* and others in Company came to *London*.

May 3, 1647.

Security about the Loan of 200000 l.

THE Houses sat not this Day, but a Committee of both Houses (as was Ordered on *Saturday*) had another meeting with the Common Council of *London*, about the Loan of 200000 *l.* and propounded unto them the Security agreed on by the Houses. Several Speeches were made to stir up the City to the speedy Loan of the said Sum; to which they expressed much willingness, but still stood upon it to have *Goldsmiths-Hall* added to the Security.

The Army suspected to comply with the King.

At this time something was more than whispered in the City, and the Rumour spread further in the Kingdom, upon occasion of something said at this meeting in relation to the Army, as that they should send to comply with the King.

Provincial Assembly met in London.

This Day likewise, the Provincial Assembly of *London*, met in the Convocation House at *Paul's* Church, according to an Ordinance in Parliament of the 29th of *April* last, for the further settling Presbytery, and Dr. *Gouge* was chosen Prolocutor. The Ordinance directing that Assembly is to this purpose, That the Elders of the Classis of the Province of *London*, shall hold this Provincial Assembly in the Convocation House at *Paul's* Church in *London*, upon the first *Munday* in *May* next ensuing, and may adjourn their meeting *de die in diem*, and conclude their meeting with Adjournments unto the next opportunity, according to the Ordinance of Parliament. And that no Act shall pass or be valid in the said Province of *London*, but what shall be done by the number of thirty six present, or the major part of them, whereof twelve to be Ministers, and twenty four to be Ruling Elders.

The Ordinance for regulating the University of *Oxford* is passed both Houses. The *Visitors* are these following.

University of Oxford, *their Visitors.*

Sir *Nathaniel Brent*, Mr. *Edward Corbet*, *John Pulixton*, *Hen. Wilkinson*, *William Prinn*, *William Tiping*, Sir *William Cobb*, *George Greenwood*, Dr. *Wilkinson*, *Edward Reinolds*, *Robert Harris*, *Fran. Cheynel*, *John Packet*, *John Wilkinson*, *John Mills*, *Christopher Rogers*, *William Cope*, *Ba. Hall*, *Tho. Knight*, *John Helling*, *William Draper*, *Gabriel Becke*, *John Cartwright*, *Sam. Dunch*, they or any five of them, to determine all matters according to Law.

To

To examine upon Oath concerning Neglect of the Covenant, Directory, or Discipline, or such as write false Doctrine, or have been Enemies to the Parliament, and certifie the same to the Committee of Parliament, whether the Parties also have appealed.

23 Caroli.

The Committee of Lords and Commons for Oxford *Appeals.*

Commissioners for Appeals for Oxford *University.*

EArl of *Northumberland*, Earl of *Kent*, Earl of *Rutland*, Earl of *Pembrook*, Earl of *Lincoln*, Earl of *Nottingham*, Earl of *Suffolk*, Earl of *Salisbury*, Earl of *Warwick*, Earl of *Denbigh*, Earl of *Middlesex*, Earl of *Manchester*, Earl of *Mulgrave*, Earl of *Stanford*, Viscount *Hereford*, Viscount *Say and Seal*, Lord *Delaware*, Lord *Berkley*, Lord *Wharton*, Lord *North*, Lord *Hunsden*, Lord *Grey*, Lord *Roberts*, Lord *Howard*, Lord *Bruce*, Sir *Chr. Yelverton*, Sir *John Danvers*, Mr. *Selden*, Mr. *West*, Mr. *Rouse*, Mr. *Crew*, Sir *William Lewis*, Mr. *Whitlock*, Sir *Thomas Witherington*, Mr. *Poole*, Sir *Peter Wentworth*, Colonel *Leigh*, Mr. *Nathan Fiennes*, Mr. *Long*, Sir *P. Stapleton*, Mr. *Wheeler*, Mr. *Swinfan*, Mr. *Browne*, Mr. *Love*, Sir *William Brereton*, *L. Wenman*, Mr. *John Fiennes*, Mr. *William Lenthall* Speaker, Mr. *Hollis*, Sir *Robert Harley*, Mr. *Salloway*, Mr. *Lisle*, Mr. *J. Lenthall*, Sir *Gilbert Gerrard*, Mr. *Scott*, Sir *Tho. Wroth*, Mr. *Doyly*, Mr. *Prideaux*, Mr. *Tate*, Mr. *Bond*, Mr. *Ashhurst*, Mr. *Bulkley*, Mr. *Kirle*, Mr. Recorder, Mr. *Martin*, Mr. *Nicoll*, Sir *John Burgoignes*, Sir *Tho. Dacres*, Sir *John Maynard*, Mr. *Gourdon*, Mr. *Grimstone*, Dr. *Bond*, Mr. *Morley*, Mr. *Green*, Mr. *Reinolds*, Mr. *Grove*, Mr. *Knightlay*, or any five of them.

Intelligence from Scotland *of* Kolkitoth, *&c.*

Not much more considerable this Day, but from *Scotland*. Lieutenant General *Lesley* is marched against *Kolkitoth*, with four Regiments of Foot, six Troops of Horse, and three Troops of Dragoons, and not without great need, for this *Alister Mackdonell Kolkitoth* rageth in the Marquiss of *Argyle*'s Country, he spareth neither Sex nor Age, but putteth both Man, Woman, and Child to the Sword; having taken away the Lives of these Innocents, he taketh all that lies before him for Provision for his Army, in procuring of which he is very diligent. The Letters mention, he expects from *Ireland* Recruits both of Men and Arms, and other Expedients. It is said, that the Enemies in a great Body have taken the Field in *Ireland*, and it is to be feared they will use the like Inhumanity in that Kingdom, and go over their old Tragedies again.

And of the Affairs of *Ireland*, the Letters speak thus, that the Rebels now begin to bestir themselves apace; and that the Rebels in *Leminster* have besieged *Caterlagh*, a very strong Garrison under the Marquiss of *Ormond*. The Marquiss of *Ormond* propounds to raise 5000 native *Irish* to go beyond Sea, and offers to give his three Sons for Hostages, and his Lands to be engaged, that they shall never come against any of the King's Dominions.

Soldiers shipped from Chester *for* Ireland, *being of Col.* Hungerford's *Regiment*, 841 *in number.*

From the City of *Chester*, *Tuesday* the 27th, was shipped 9 Foot Companies, under the Command of Colonel *Hungerford*, making 841 Men, on *Wednesday* they set Sail from *Poyetaire*; these 'tis believed are now in *Dublin*, for though contrary Winds have been, yet there have been enough to carry them thither more than once. Captain *Meredith*'s Troop is come hither, to add to the other small Force. The Commissioners incline still to stay until they have more Men to possess what they are to take, wherewith to accommodate them, which otherwise may be lost so soon as had, either by the violence of the Enemy, or want from Friends; 500*l.* is sent by the last Men, part of that little the Commissioners have, to be disposed of by the Lord of *Ormond*, as he shall see it fit for the relief of the Out-Garrisons.

May

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May 4.

The Petition directed to the Supream Authority of the Nation, the Commons; but disliked by them.

THE Petition, Entituled, of divers well-affected Citizens, before mentioned, directed to the Commons the *Supreme Authority of Parliament.* The House had much debate of this, and the Petitioners were called in, and Mr. Speaker, by order and direction of the House, acquainted them, that the House did dislike the Petition; and therefore could not approve thereof.

The new City Militia *approved of by the Commons.*

The Ordinance for the City *Militia* was read, and the Persons presented by them approved of and confirmed, and then the Ordinance *passed the Commons.*

Thanks to the old Militia.

They Ordered, That a Day should be appointed to give Thanks to the *old Militia* Members, for all their faithful Service, and that *Friday* shall be the Day.

Complaint of Irish *Men, Troopers, that rob in* Oxfordshire.

A Letter was read in the House from the new *Sheriffs of* Oxon, that many Troopers that were *Irish*, and others that had been in Arms against the Parliament, had robbed all Passengers that passed to and fro in and about their occasions, and that he had raised the *Posse Comitatus*, and apprehended about a 100 of them, desiring the direction of the House therein. The House approved hereof, and Ordered that an Ordinance should be drawn, to require all Officers and Soldiers that have born Arms against the Parliament, to repair to their several Countries, and if that they appear in any Country in a hostile manner, to be punished with Death.

They Ordered, That a Letter of Thanks should be sent down to the Sheriff of *Oxfordshire.*

Commissions of Oyer *and* Terminer *to try Soldiers.*

That the Commissioners of the Great Seal should grant Commissions of *Oyer* and *Terminer*, to try Soldiers that take free Quarter without Warrant, and also such as are apprehended for Robberies, *&c.*

Goldsmiths-Hall *to be Security in part for 200000 l.*

A Message this Day from the Lords, concerning *Goldsmiths-Hall*, desiring that *Goldsmiths-Hall* may be part of the Security for the 200000 *l.* The House had much debate thereof, but did not agree with the Lords therein; but in the rest of the Security, of the Papists and excepted Persons, their Estates, and the Excise in course, they agreed to.

They Ordered, that Serjeant *Godbolt*, one of the Justices of the Common Pleas, should be added to the Commissioners for hearing Causes in Chancery.

May 5, 1647.

Debate of the security for the 200000 l.

THE Commons had the Report this Day from the Committee, who treated with the Common Council of *London, Monday* last, about the Loan of the 200000 *l.* and had much debate thereupon, and at last ordered half the Compositions for Delinquents Estates at *Goldsmiths-Hall*, not disposed of, to be added to the Security to the City for the 200000 *l.*

A Brief for Irish *People fled out of* Ireland.

The House took into consideration the sad condition of about 300 poor People in *Barnstable*, forced to fly out of *Ireland*, and ordered a Brief to be drawn up for Collections in all Churches and Chapels in the Kingdom the next Fast-day.

Sweeds *refuse to strike Sail, a Fight thereupon.*

Letters from the Navy certifie a Fight near the Isle of *Wight. A Fleet of Sweeds* refused to lower their Top-Sail, though called to by Captain *Owen*, which occasioned a Fight. The *Sweeds* had their Admiral,

miral, Vice Admiral, Rear Admiral, and two other Men of War, and some Merchants bound for *Constantinople*; but in the end not only the Merchant Ships forsook Captain *Owen*, but the two Men of War drew back and left him. He lost one Man, and had three wounded. The *Sweeds* had much loss, their Vice Admiral, and Rear Admiral had their Colours shot down, and a great breach was made in the Vice Admiral, with much other loss. The Fight continued until Night. Captain *Batten* relieved Captain *Owen*, and brought in the *Sweeds* Fleet to *Portsmouth.*

Officers of the Army to meet the Parliaments Commissioners.

From the Army Letters this Day give to understand, that the Commissioners sent down, have appointed a general meeting of the Officers of the Army on *Thursday* next, the Success whereof shall then be certified.

May 6, 1647.

Troopers in Kent, *indicted for taking of Horses, tempore & loco belli.*

A Letter this Day came from the Committee of *Kent*, with several Examinations, concerning *James Middleton* preferring a Bill of Indictment against Colonel *Kenricke*, for his Troopers taking of three Horses of the said *James Middleton*, though it was at the first Rebellion in *Kent*, and they found these Horses tied in a Wood, and were taken for the Service of the State, in the time and place of War. And upon the Examination of this business, it was found that Sir *John Sidley* of *Kent*, did advise and perswade *Middleton* to it, with other aggravating Circumstances.

The House Ordered, that Major *Tulidah* shall be discharged of his Restraint.

The old Militia *of the City, receive thanks of the House.*

The old *Militia* came according to former order to the House, and Mr. Speaker gave them the Thanks of the House, for their great Service, Care, and Industry in that Employment, for the time they continued in the place.

The House to rise daily at 12 a Clock.

Mr. Speaker was Ordered to put the House in mind of their former Order, for rising daily at twelve of the Clock.

May 7, 1647.

Lord Lisle *made report of the Money, Arms, and Ammunition which he left in* Ireland.

THE Lord *Lisle* made a Report this Day of what Arms, Money, and Ammunition he left behind him in the Province of *Munster* in *Ireland*; and at the same time Sir *John Temple* made Report of the Affairs of *Ireland*, in relation to the Military and Civil Affairs of that Kingdom; and thereupon the House ordered that the Lord *Lisle*, Sir *John Temple*, Colonel *Sydney*, and Major *Harrison*, shall have the Thanks of the House, for their faithful Service in *Ireland.*

Ordinance for Soldiers Indempnity committed.

The Ordinance for the Indempnity of the Soldiers, and such as have acted for the Parliament in this time of War, was read the first time; this took up a long time, and then it was committed.

Soldiers not to be tryed by Commission of Oyer *and* Terminer.

And upon a further Debate, the Order for trying Soldiers by Commission of *Oyer* and *Terminer*, was this Day revoked.

Common-Council.

They ordered that a Common Council shall be called to morrow in the City, to communicate the Votes of the House for the Security to be given to the City for the Loan of the 200000 *l.*

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May 8, 1647.

Intelligence from the Head Quarter, of Proceedings in the Army between the Parliaments Commissioners and the Officers of the Army.

THIS Day the Houses sat not; but from the Army we had by Letters, of the Proceedings of the Commissioners sent from the House, and the Result of the meeting with the Officers of the Army, which was not until *Friday, May* 7. the Particulars take thus: Field Marshal *Skippon*, Lieutenant General *Cromwell*, and the rest of the Members of the Army sent down thither, communicated unto the Officers the Votes of the House, concerning their Arrears and Indempnity; and that they were enjoyned to employ their Endeavours to quiet all Distempers in the Army. These Votes being read unto them, it was said by some, that they desired to know what was meant by Distempers in the Army; if it were meant of Grievances, (which the Soldiers complained of) they had then something to offer; but in regard that if the Officers should declare their Sense, without the consent of the Soldiers in their respective charge, it might perhaps be taken as an unadvised and forward Act in them, to undertake to declare the Sense of the Army, before they know the general Resolution of the Soldiery; as it was too much forwardness in those, who, in the first Paper presented to the Parliament, subscribed their Names, whereby the Parliament was inclined to believe they could engage their whole Regiments, of which there have been some failing, &c. And therefore these Officers now present, being unwilling to declare the Sense of the respective Regiments, Troops, and Companies, without first acquainting them therewith, (that the Unanimity of the Soldiery may the more clearly appear, and their entire Resolution be discerned) the Officers have time given them, 'till *Friday* the 14th of *May*, to communicate the Votes of the House, and to represent to the Field Marshal, and the rest of the Officers sent down, an account of their Proceedings therein. And lest it may be thought that the Army hath no cause of Grievance, observe, that they being declared Enemies by Vote of the House, if they persisted in their Petition to the General, (being merely for things relating to them as Soldiers) they think it an hard case. They likewise think, that for any Person publickly to declare (so as to insinuate a belief, that a Petition was sent from the Army to the King, to come to them, and they would set the Crown on his Head) it is a great Scandal, and expect Reparation. And likewise it is trouble unto them, that it should be said, that the Army is no more a new Model, that 4000 Cavaliers are in it; when as all the World cannot tax the Army (consisting of 21000 Men) for having one commissionate Officer, that ever was on the King's side against the Parliament, but one *, and he was by one or both Houses intrusted in business of Concernment after his coming in, and made a Colonel by them, and afterwards recommended by Authority derived from them to the Army; as for the common Foot Soldiers that are in the Army, who being taken Prisoners listed themselves in the Army, have been engaged on several desperate Services, as in storming of Towns, and proved faithful and valiant to their Trust.

Of Distempers in the Army.

Time till the 14 of May *to confer with the Soldiers.*

By Vote of the Parliament the Army declared Enemies if they persist.

* *Capt.* Anthony Morgan.

False Intelligence against the Army by the D. *of* Buckingham*'s Servant.*

Yet to make the *Army more odious* to the Kingdom, a Gentleman, a Servant to the Duke of *Buckingham*, rid post into the *North*, at every Stage scattering a Copy of this Paper, supposed to be sent from the Army to the King; desiring the Post-Master of *Royston*, and

and *Huntington*, to publish it for a Truth, averring the City had received certain knowledge thereof at a Common Council.

By other Letters from the *Army*, of the same date, we had to this purpose, *viz.*

Further false Intelligence, that the Army should be disarmed.

All things are quiet in the Army, there is no disturbance in the Country; there was an Alarm given to Colonel *Hewson*'s Regiment, that Warrants were come down to raise the Trained Bands, to disarm them; whereupon they retired to a Church, with their Arms; but understanding it to be a false Alarm, went afterwards to their Quarters again.

The Field Marshal of *Ireland*, at the meeting at *Walden*, *May* 7. instant, after he had related to the Officers the Vote of the House, likewise made known unto them, his being nominated to command the Forces intended to be sent into *Ireland*; and that it was expected by the Parliament, the Army should engage freely in this so honourable and needful a Service and Employment, as to reduce that Kingdom, and wished them to communicate it to their Regiments; expressing (with much Modesty) his unfitness to the Service, yet his real Intentions and Endeavours to serve them was great, though he perish in the Work. Upon the Report of this to the several Regiments, a Return will be made to him, what Numbers will engage in this Service, at the next meeting, which is to be on *Friday* next.

Visitors of the University of Oxford.

The Visitors for the *Oxford* Ordinance, whose Names were mentioned before, met this Day, in prosecution of the Ordinance of Parliament, for Regulation of that University; they have ordered to send for the Heads of the several Colleges in *Oxford* to come before them.

May 10, 1647.

Concerning the Fight with the Sweeds *Ships about not striking Sail.*

THE House sat not this Day, but the Committee for *Irish* Affairs, and some other Committees sate. The business of the Sea Fight, betwixt Captain *Owen* Rear-Admiral for the Parliament, and the fifteen *Sweeds* Ships, (mentioned last Week) is upon Examination before the Committee of the Admiralty: The Particulars we have since more fully understood, and they are thus; the Rear Admiral, which was attending some Commodities to be brought to build Ships, they being not ready, he went a little abroad, and in his Passage discovered 15 Sail of *Sweeds*, most Merchants, these he required to do Homage, as others, to *England*; they told him, they had Order from their Mistress, Queen of *Sweeden*, not to strike to any whatsoever: He thereupon discovering some Ships coming, bore up to them, found two to be *English* Merchants going for the Straits, and carrying between them thirty or forty Pieces of Ordnance; to each of these he represented the business, also a little Pinnace belonging to the Parliament. The two Merchants tell him they will assist him, for the Honour of *England*; whereupon he comes up, and lets fly at them; the Merchants consider better of it, and sail onwards on their Voyage, reserving their Ammunition for to spend upon a greater Enemy; the Ship and Pinnace being engaged, dicharged many Guns, but the Rear-Admiral, having a Shot so as she could not steer, falls back, having lost one Man, and two hurt; what hurt the *Sweeds* had he could not tell. The Night coming, the *Sweeds* go on in their Voyage. The Rear-Admiral sends to Captain *Batten*, who with six Sail goes after, over

Captain Batten *relieves Vice-Admiral* Owen.

An. 1647.

takes the *Sweeds* Ships, and having had Discourse with the Commander in chief of the *Sweeds* Fleet, and finding no Inclination to strike Sail, brought him along into the *Downs*, after whom came all the rest.

More Forces for Ireland, *Horse and Foot. Col.* Birch, *and Col.* Kinnaston's *Regiments.*

From the City of *Chester* Letters import thus. Nothing from *Dublin* this Week. The Commissioners (as yet here) were resolved to go to Sea, the Wind being fair; Expectation of Colonel *Birch* his Regiment, and the *Welsh* Foot, commanded by Colonel *Kinnaston*, which latter will not be ready until *Saturday*, being not paid off by the Country, which must be done before they be listed for *Ireland*, staid them. Colonel *Jones* his Horse are all to be shipt. Captain *Meredith*'s Troop is marched to *Moston* in *Flintshire*, to be ready to be shipped for the same end. A Letter of ancient date from *Ireland*, saith, the Rebels are fortifying all their Passes upon the River *Marrow*, and what other Places the *English* may possibly approach them, resolving to hold what they possess as long as they can, and chiefly *Kilkenny*, the Place of their Head Council, and the Garden of *Ireland*; they fortifie *Athlone*, and what Places they hold in *Lempster*.

Lady Cave *to convey Letters to the King at* Holmby.

And from *Holmby* by Letters thus; Here was lately taken the Lady *Cave*, who lay at a Gentleman's House near this place; she waited an Opportunity to deliver Letters from her Majesty to the King: She being examined, confessed so much, and promised if the Commissioners would appoint some to go with her to the Place where she lay, she would send it; she was committed to the care of the Mayor of *Northampton*.

May 11, 1647.

Scots *Auxiliary Forces to return from* Ireland.

A Committee was appointed to draw Reasons to give to the Lords, for passing the Ordinance for the *Scots* Forces to depart out of the Kingdom of *Ireland*.

Of Judge Jenkins's *Vindication.*

The House had much Debate of a Printed Paper, Entituled, *Judge* Jenkins's *Vindication*; and referred it to the Committee of Complaints, to examine and state the matter of Fact, and report on *Friday* Morning next.

A Pamphlet in the Name of Sir Dudley Diggs.

A Pamphlet in the Name of Sir *Dudley Diggs*, pretended to be written by him, concerning the Illegality of Subjects taking up Arms against their Soveraign, was referred to the same Committee.

The Committee was likewise appointed to send for the Printers, Writers, and Venders of these Pamphlets, and to commit such as they shall see occasion; and consider of bringing the Printers and Publishers thereof to a Trial at the *Kings-bench* Bar.

Mr Selden *was ordered* 5000 l. *for his Sufferings.*

Five Thousand Pound was ordered for Mr. *Selden*, in respect of his great Sufferings in the Third Year of King *Charles*, and long Imprisonment upon the *Habeas Corpus* business.

Major Bosvil.

Also a Petition was presented, in the behalf of Major *Bosvil*, (who delivered a Letter from the Queen to his Majesty) desiring to be tried, or discharged; upon debate whereof, he was ordered to be sent Prisoner to *Newgate*.

Confession of Faith, with Scripture Notes.

Mr. *Byfeild* (by appointment of the Assembly of Divines, upon an Order of the House of Commons) delivered the Printed Books of the *Confession of Faith*, with Scripture Notes, to the Members of the House of Parliament. And no more being to be dispersed, every Member subscribed his Name to a Paper, at the receipt thereof. After the Members have well perused and examined them, the

the Houses are to consider whether they shall approve them for Publication.

Upon a complaint of divers Passes and Tickets granted for some to go beyond Seas, &c. the Houses ordered, that Colonel *Manwaring* be enjoined to grant no more Passes in that kind.

Commissioners at Walden *have given longer time to the Army for their Answer.*

Letters from the Commissioners at *Walden*, this Day read in the House of Commons, do inform, that upon their meeting *Thursday* and *Friday* last, it was concluded, that the Officers do treat with the Soldiers, whose Answer cannot be given in before *Saturday*.

The *Propositions* to be sent to the King, were this Day ordered to be brought in, with the Amendments.

May 12, 1647.

The Earl of Denbigh *to have leave to be absent from* Holmby.

THE House of Peers this Day received a Letter from the Earl of *Denbigh*, one of the Commissioners with his Majesty at *Holmby*, desiring leave to return for ten Days; which Letter was read, and granted.

Earl of Dumfarling *to go to the King at* Holmby.

A Letter was read from the *Scots* Commissioners, desiring leave for the Earl of *Dumfarling* to have access to the King, and attend his Majesty, according to the Agreement. Their Lordships ordered that he have access to his Majesty, and that the Concurrence of the House of Commons be desired therein.

Security for 200000 l. *passed the Commons by the Ordinance following.*

A Report was made to the House, of the whole Transaction with the *Common-Council* of *London* the last Week, about the Loan of the 200000 *l.* and the Ordinance for securing and paying the Advancers thereof, was then read, and passed the Commons House, and sent up to the Lords, and likewise passed by them, and ordered to be Printed. The Ordinance it self is too large to insert; but being of that length, the Reader is referred to that Ordinance in Print.

Intelligence from the Isle of Jersey.

That the Governor of *Jersey* hath caused a List to be made of those he suspects to be well affected to the Parliament, and hath proceeded against them, by banishing, imprisoning them, and those that were ancient and old, he hath caused them to pay great Sums of Monies; also it is certified, that the said Lieutenant Governor entertains six or seven Frigots about the said Island, together with many other Pirates that have lately retir'd themselves there, having at this present no other Shelter in this Kingdom for their Security; all which *Picqueroons* do great Mischiefs and Robberies upon the Merchants of this Kingdom, that trade towards those Parts, and elsewhere. And that one Captain *Amy*, a most barbarous and violent Captain of one of those Frigots, being chased at Sea by the *Constant Warwick*, his Frigot founder'd in the Sea, by over-bearing Sail; and if the Parliament do not take a speedy course for the reducing that Island, it will prove of dangerous Consequence to this State; for *Guernsey* will be in great danger to be lost, and so become a second *Dunkirk*, and a nest for all Pirates.

May 13, 1647.

THE House then considered of that part of their Lordships Message, concerning the Lord *Dumfarling* to be admitted to attend his Majesty; and hereupon a Letter from the *Scots* Commissioners at *Worcester*-House was read, desiring that he might attend the King, &c.

An. 1647.

The House debated long upon this business, and at last Ordered the said Earl of *Dumfarling* should be admitted to attend his Majesty, according to the Engagement of this Kingdom to the Kingdom of *Scotland*; but not to attend his Majesty as a Servant.

Vice-Admiral of the Sweedish *Ships discharged.*

Their Lordships upon the Report of the Committee of the Admiralty, past a Vote in Confirmation of that Report, concerning the discharge of the Vice-Admiral of the *Sweedish* Ships brought into the *Downs* by Captain *Batten*; after the reading of the said Report, and Order thereupon, the House Ordered to concur with their Lordships therein; and a Letter to be signed by both Speakers to be sent to Captain *Batten*, for the discharge of the said Vice-Admiral, and the rest of the *Sweedish* Ships, was read and assented unto.

Propositions.

The Propositions to be sent to his Majesty, were this Day sent to the Lords for their Concurrence.

May 14, 1647.

A fortnights Pay to be added to six weeks Pay for Disbanding of the Army.

THE House took into Consideration, *an Addition* to be made to the *six weeks Pay*, formerly Voted the Army upon Disbanding, and resolved that a fortnights Pay more should be added to that upon the Disbanding.

And that six weeks Pay more should be given to those that *will go for Ireland*. Likewise the Commons after long Debate passed the *Ordinance* for the *Indempnity* of the Soldiers, and also for the Indempnity of the *Committees* of the several Counties, for what they have done in pursuance of the Ordinances of Parliament, which Ordinance being sent up to the Lords, they likewise concurred therein.

Indempnity to Committees in the Country.

The King declares he hath long waited for the Propositions.

This Day came Letters from *Holmby*, certifying that the King called the Commissioners about him, and told them, that he had long waited to have the *Propositions* sent unto him, and now that he had heard the *Scots* Commissioners were come to *London*, he was in hopes to have had them before now; but seeing they came not, and himself desirous to deliver his Mind concerning them; he had prepared an Answer to them, having the Propositions still lying by him, as they were delivered unto him at *Newcastle*, and if he might not be allowed a Secretary to transcribe his Answer, he would scribble it over himself as well as he could. And it was further certified, that he said his Answer was such, which he had prepared, that he hoped to be justified in the same.

Ensign Nichols.

It was taken into Consideration, the Commitment of Ensign *Nichols* of the Army, and 10 *l.* was Ordered to those two Officers who brought him to Town; the Question being put whether 10 *l.* more should not be given for the defraying the Ensigns Charges also. It was carryed in the Negative by three Voices.

Marshal General *Skippon*'s Speech at the Convention of Officers at *Walden*, *May* 15, 1647.

Gentlemen and Fellow Soldiers,

May 15.

W*E are here* once more *according to Appointment* met together, *to desire you to give us a clear and faithful* Account of your communicating the Votes *of the House of Commons to your several Regiments, and those under your Command; and to desire you to inform us how you have laboured to satisfie them in the care the Honourable House took in those Votes for the Army, and what sincere Instructions and faithful Endeavours you have used*

used to make them sensible thereof, and what Distempers *you found in your several Regiments, Troops, and Companies, that we may know how you have in these Particulars discharged your Duties, as Conscientious Christians in the sight of God, and as Men faithfully obedient to the Parliament of* England.

I am further to desire you upon a Motion made again and again, upon a Mention of my self in relation of Ireland, *to desire you to let me know how you find your several Regiments disposed.*

The Justness, the Honourableness, and Necessity of the Service, cannot be unknown unto you. I desire you according to the Mind of the other Gentlemen that were sent down with me, not as Commissioners, *but as Parliament Men, and Members of the Army, That you would in these Particulars give us satisfaction, that it may appear to us, and to the Parliament, and to all the Kingdom that hear of our Proceedings, that you have faithfully discharged your Duties, as we desire to do to the Parliament for the Service of the whole Kingdom; I pray that there may be an Orderly Proceeding in what we have to do; I doubt not but in the end of all, we shall find that nothing is aimed at in all things, but what tends to the real Service of the Parliament, and the Good of the whole Kingdom.*

Saturday, May 15, 1647.

Intelligence from Ireland.

FROM *Ireland* we understand, That the strong and considerable Castle and Town of *Caterloughly* is delivered upon Quarter, which hath much puffed up the Enemy, who have now an intention to besiege *Trym*, the most considerable Garrison within our Quarters, next to *Dublin* and *Drogheda*; all our Horse are commanded to rendezvous at *Skreene*, near *Terra-Hill*, a Campaign Country, upon *Tuesday* next. It is supposed they will make up the number of seven hundred. Two hundred of our Foot are to be mounted, and go along with them. The Rebels intend with all speed to fall into our Quarters with a running Army, to sweep away all our Cattle, if not prevented by the Power of our Horse; Captain *Stephens*, and several other of our Army are taken Prisoners by *Fitz Gerald* of *Ballysoman*. Mr. *Hatfeild* being in the same Company, saved himself and his Money by the swiftness of his Horse.

At Saffron Walden *the Soldiers chuse a Committee of Troopers out of every Regiment*

This Evening Intelligence came from *Saffron Walden*, the Head-Quarters of the Army, of *the Result* of the Debates betwixt the Parliament's Commissioners, and the Officers and Soldiers, to this purpose, That the House passed several Votes for the satisfaction of the Soldiers, for Arrears and Indempnity, and also to find out the Distempers of the Army, which they desired might be communicated by the Officers to the several Regiments; upon which the Soldiers desired to chuse *Committees* of themselves, out of every Troop and Company, to confer together concerning the same. The Committee of Troopers met at St. *Edmund-Bury*, and the Foot who chose two out of every Company, sent them to confer with the Troopers; and every Foot Soldier gave four Pence a piece, towards defraying of the Charges of that meeting; their several returns being made to the Officers, the Officers repaired to the Head-Quarters with the same, and upon the whole matter gave this account, That they found *no Distemper* in the Army, but *Grievances many* which the Soldiers complained of; and because some Regiments differed from others in making known their respective Sufferings, it was referred to a Committee of General Officers to contract into a Method, what was propounded in general, as the Sense of the whole Army; and if any particular thing was desired by one Regiment, which was waved by another, that

That the general Officers contract the grievances of the Soldiers.

An. 1647.

that it might not be accepted, or presented as the Senſe of the whole Army. So in concluſion, the Officers concurred in a draught, which was ſo formed out of the whole, that all the Grievances which the Army complains of, are diſtinctly ſet down in the ſame, *in the Name* of the Officers and Soldiers of the Army, and was this Day preſented to Field Marſhal General *Skippon*, deſiring him to preſent the ſame to the Parliament, that a candid Conſtruction might be had of their Proceedings. I ſhall forbear at preſent to relate the Particulars, only this in general, they meddle with nothing but what pertains to them as Soldiers, and earneſtly deſire Juſtice and Reparation in what they have preſented as their Grievances, particularizing no Man, unleſs Mr. *Edwards* for this *Gangrena*, which he is charged to put forth, to make the Army odious to the Kingdoms.

Gangrena.

May 17, 1647.

Ireland's *good ſucceſs by Lord* Inchiqueen.

THIS Day by Letters to the Committee for *Iriſh* Affairs came News very acceptable, of the gallant Proceedings of the Lord *Inchiqueen* againſt the Rebels in *Ireland*, That he hath taken from the Rebels *Dungarvan* Caſtle, and the Fort *Caperqueen* and *Drummany*; the two laſt were ſurrendered on very eaſie Terms, not above four or five Shot made at *Drummany* before it was yielded, and *Caperqueen* was ſurrendered before a Shot was made againſt it, for they were forced to yield for want of Powder; The Soldiers are enraged that they had ſo good Terms as was given them. They marched out from all theſe Garriſons with their Arms, Colours flying, Drums beating, Bullet in Mouth, their Goods and Proviſions. The Rebels made two Sallies out of *Dungarvan*, a Seaport and a walled Town, in half an hour, and killed two of our Captains and ſome others; after we had poſſeſſion of the Caſtle, which ſtands cloſe to the Town, and deprived the Rebels from Water, they ſurrendered it on the ſame Terms. But ſome twenty Engliſh-men of the Red-Coats, that had run to the Rebels, that were taken in the ſeveral Garriſons, were hanged.

Caperqueen *and other Forts taken.*

From *Dublin* by Letters, dated *May* the 9*th*, they write, That the Marquiſs of *Ormond* received Letters from *Kilkenny*, by the *French* Agent, for a Ceſſation until *Alhallontide*, upon condition that no more *Engliſh* be ſent over in the Interim, elſe that they would proclaim open Wars. The Agent returned *April* the 5*th* with a Negative Anſwer.

The Iriſh *ſeek for a Ceſſation.*

The Lord *Digby* the other Day was riding out of *Dublin*; the new Soldiers at that time guarding the Port, and knowing him, demanded his Paſs, but having none, and ſuppoſing his Intereſt ſufficient, he ruffled with them; the Guard gathering about him, intending him no good, he clapt Spurs to his Horſe and ran at a higher rate towards the Bridge Port, where he was befriended and ſecured. The new *Engliſh* following him with drawn Swords, crying ſtop the Traitor *Digby*, but in vain; he was conveyed over the River by the Lord *Taafe* and other of his Friends, and intends for *France* if poſſible. The Lord Preſident of *Conagh* hath a new deſign on foot, having a little refreſhed himſelf after his laſt Expedition. Colonel *Conway* was abroad laſt Week with a Party of 200 Horſe and 400 Foot, took 600 Cows, and as many little Horſes, he returned finding no oppoſition. There preached lately in Chriſt's Church the Biſhop of *Down*, where he delivered, That any

The Lord Digby *affronted by the Soldiery at* Dublin.

Power

Power ought to be obeyed tho' usurped. This Doctrine much displeased the Bishop of *Offory* who accused him; he said he would justifie what he had said; and Preaching after, he said, the War in *England* was a wicked Rebellion, and never intended other Obedience than as to Thieves and Rebels.

23 *Caroli.*

May 18.

THIS Day was read in both Houses his Majesty's Letter, (mentioned the last weeks Intelligence) it is large and well penned; in it his Majesty gives Answer to the Propositions formerly sent to him at *Newcastle*; to some he consents in whole, to others in part; to others he saith he cannot consent, and gives Reasons. For the *Presbyterian Government* he is willing to have it settled for three Years, and consenteth to ratifie the Assembly of Ministers sitting at *Westminster*, propounding a certain number of his own Ministers to be added to the Assembly, to consider what Government to settle after the three Years, whether the Presbytery or some other, and in the mean time, that he and his own Houshold may be free to use the old Form, and Common-Prayer Book. As to the *Militia*, he yields it for ten Years, and that afterwards it may return to him. The Covenant his Majesty is not satisfied in, but would have some of his own Ministers sent to satisfie his Scruples therein. The *Great Seal* he will ratifie, and he to have it for the future as formerly. For the *City of London* he grants what is desired; speaks much in behalf of those that took his part in the War. He will call home the Prince, and desires to come to *London*, that he may the better give Satisfaction to the Parliament, and they to him. To the seventh and eighth Proposition his Majesty will assent; and to the ninth, after he shall be further satisfied how the Penalties therein levied shall be disposed of. To the tenth, for an Act against *Papists*, he will consent, and propounds to pass a general Act of *Oblivion*, and free Pardon to all on both sides; and *this in short is the sum* of the Letter. The House of Peers upon reading this Letter, referred the same to a Committee, and the Commons appointed to take the same into Consideration on *Thursday* following.

King's Letter in Answer to the Propositions sent to him.

As to Church Government.

As to the Militia.

As to the great Seal.

As to the City of London.

As to the Papists and Oblivion.

Letters were this Day read from the Commissioners now with the Army, purporting they had sent also the last Results of the Houses, for the addition of fourteen Days Pay more, and the Act of Indempnity to the Officers, and so to the several Regiments, and were almost ready to make return of what they had from them; the business being very weighty, of such concernment, that it equalled, if not exceeded any in which they had formerly been intrusted; could not possibly be sooner prepared, being of many Particulars, and therefore they desired to know the Houses Pleasure, that they might attend them with it. The Commons upon Debate thereof, passed several *Votes to this purpose*, viz.

Letters from the Commissioners of Parliament with the Army.

That their business exceeds the weight of any that ever they were intrusted with.

That all the Forces of this Kingdom not subscribing for the Service of *Ireland* shall be *Disbanded*, excepting those for the Garrisons, and that it shall be referred to the Committee at *Derby-House*, to consider of the time and manner of Disbanding them.

That all the Forces of this Kingdom, not subscribing for Ireland, *be Disbanded, except Garrisons.*

That the General, if it may stand with his Health, be desired forthwith to repair to the Army.

The Parliament desires the General to go to the Army.

That a Letter should be written to the Commissioners in the Army, to send up any one or two of them to the House, to give an

An. 1647.

M. G. Skippon *Field Marshal to stay in the Army.* *Success in* Ireland *by Lord* Inchiquceen.

Provisions for him.

an account of their Proceedings in the Army, excepting Field Marshal *Skippon*, who is to be left there to advance the Service for *Ireland*.

A Letter was read this Day in the House, from the Lord *Inchiqueen*, confirming the former Relation of his taking in of *Dungarvan*, *Drummany*, and *Caperqueen* in *Ireland*; desiring Ammunition to be speedily sent to him.

After the reading hereof, they ordered that a Train of Artillery should be speedily sent over to the Lord *Inchiqueen*, for the Service of *Munster*.

That 150 Draught Horses, and twenty Waggons be speedily sent over.

That it be referred to a Committee at *Derby* House, to send for Ammunition from such Places as may best be spared, for the Service of *Ireland*.

That a Letter of Thanks be sent to the Lord *Inchiqueen*, for all his faithful Services, and in special for this.

May 19, 1647.

Confession of Faith.

THE House this Day, according to former Order, debated the *Confession of Faith* presented from the Assembly, and spent the whole Day therein; passing particularly from the first Paragraph to the eleventh of the first Chapter.

They ordered this Debate to be reassumed *Friday* next.

This Day the House passed the List of the Ships for this Summer's Expedition.

May 20, 1647.

THE House this Day heard the Report of the Committee of *Goldsmiths-Hall*.

Francis Newport, *Esq; his Composition.*

Francis Newport, Esquire, his Fine was reported; it amounted according to that Committee's Proceedings, to the Sum of 9400 and odd Pounds.

* *A Petition to the Commons as the* Supream Authority. *One of the Petitioners committed for Words.*

A Petition was this Day presented, in the behalf of many Citizens of *London*, in prosecution of a * former Petition. After debate thereof, the House was informed that Mr. *William Browne*, one of the Petitioners, should say Words tending much to the dishonour of the House; that he should say, being very importunate for an Answer to the Petition, that they had waited many Days, and would wait no longer, but take another Course; upon which a Member asking his Name, he should reply in these Words, *Time may come when I may ask you your Name.* He was called in as a Delinquent, kneeled at the Bar, and avowed the Petition. Mr. Speaker asked him, Whether he said those Words? He denied them, but said it was thus, *That time may come, that your Name may be given in.* Mr. Speaker then acquainted him, at the second calling in, that the House was satisfied of the speaking of the Words, by Members of the House.

Votes concerning the Petition directed to the Commons the Supream Authority, *order'd to be burnt.*

The House debated the Petition, and Voted, 1. That it was a high Breach of Privilege. 2. That it was seditious. 3. That this Petition, and the former, Intituled, *The humble Petition of many Thousands*, &c. should be burnt at the *Exchange* in *Cornhill*, and the Palace Yard at *Westminster*, *Saturday* next.

The Petitioners were called in, and were acquainted what a sense

ſenſe the Houſe had of that Petition, and their former; and did conceive the Petitioners did not do it out of any diſſatisfaction to the Parliament, but as being miſs-led by others, deſiring them to be careful in not agitating in Petitions of that Nature for the future.

23 Caroli.

The Houſe of Peers ſent a Meſſage to the Commons for their concurrence, to ſend a Congratulatory Letter to the Arch-Duke *Leopald* in *Flanders*, and for the ſettling of Ambaſſadors for a ſettling of Correſpondency there.

The King's Letter debated for his coming nearer to London.

Their Lordſhips likewiſe this Day took into conſideration the *King's Majeſty's Letter*, which was read, and inſiſted upon the firſt part, *viz.* his Majeſty's Deſire to come to *London*, and that he may give ſatisfaction to the Deſires of the Parliament, and they to his. The Votes of the Houſe, for his Majeſty's coming from *Holmby*, were read, and their Lordſhips, after Debate, put it to the Vote, whether his Majeſty ſhall remove to *Oatlands*, (which is ſixteen Miles from *London*, and ſome few Miles beyond *Hampton* Court,) and it was Voted, the King ſhould come to *Oatlands*, ſo ſoon as the Houſe can be made ready, and that it be prepared for his Majeſty accordingly; and that the Concurrence of the Houſe of Commons be deſired therein: But the Houſe of Commons have not concurred, nor as yet done any thing touching this buſineſs.

Provincial Aſſembly for London, *met in* Blackfryars *Church.* *Dr.* Gouge *Moderator.*

This Day a Sermon was preached at *Blackfryars* Church, before the Provincial Aſſembly of Miniſters and Lay Elders of *London*; after which they aſſembled at the Convocation Houſe at *Paul's*, Dr. *Gouge* being Moderator. They are to ſit and adjourn at pleaſure as a Provincial Synod, for ſettling the ſeveral Claſſes in the Province of *London*, and removing all Obſtructions therein. This Day his Excellency, Sir *Tho. Fairfax*, according to the Order of the Houſe, went from *London* towards the Army.

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THIS Day both the Houſes paſſed the *Ordinance of Indempnity* for things done by Sea or Land, during the late Troubles and Wars, which being more large than ordinary, the Reader may ſee it more fully in Print; yet for ſome Satisfaction, take the following Abſtract.

Ordinance of Indempnity for things done by Sea or Land.

THE Lords and Commons taking notice, that divers well affected Perſons have been ſued, indicted, proſecuted, or moleſted, and others are likely to be ſued, for Acts done by Authority of Parliament, during theſe late Wars and Troubles, do Ordain and Declare, That no Perſon, for any thing done or acted by Authority of Parliament, for the ſervice or benefit thereof, by Sea or by Land, ought to be ſued, indicted, proſecuted, or moleſted for the ſame; and that every ſuch Perſon ſhall be fully acquitted and diſcharged of all Actions, Suits, Indictments, Informations, Proſecutions, Judgments, Executions, and Moleſtations whatſoever, for or by reaſon of the ſame; and all Judges, Juſtices, Sheriffs, Mayors, Bayliffs, Jurors, Officers or Miniſters of Juſtice whatſoever, are required to take notice thereof, and duly to obſerve the ſame. And for the eaſe of all ſuch Perſons, who are or ſhall be ſued, indicted, proſecuted, or moleſted for any ſuch Act or Thing as is aforeſaid, it is ordained, That in every Action or Indictment wherein they ſhall be ſued, it ſhall be lawful for them to plead the general Iſſue.

And becauſe ſuch Perſons, who have acted, or commanded to be acted or done any ſuch Act or Thing as aforeſaid, may be poor, and not able to defend a Suit at Common Law, or may find themſelves aggrieved in the Proceedings thereof; for a further relief, it is ordained, That any ſuch Perſon or Perſons, ſo ſued or moleſted, may at any time hereafter, when and as often as they ſhall be ſued, indicted,

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prosecuted, or molested for any such Act or Thing as is aforesaid, either before or after a Trial at the Common Law, make their Complaint to a Committee of both Houses named; and these, or any five of them, are to receive, hear, and determine such aforesaid Complaints, and to that end to examine Witnesses upon Oath, and to commit to safe Custody, if they shall see cause, all such Person or Persons, who shall so sue, indict, prosecute, or molest any Persons whatsoever, for acting or doing any such Act or Thing as aforesaid; and also to order and award to every such Person or Persons so sued, indicted, prosecuted and molested, so much as they shall make appear to the said Committee, that they have been damnified by any such Suit, Indictment, Prosecution or Molestation as is aforesaid, if they have not before recovered the same by the Proceedings at Common Law, according to this Ordinance.

And that when the said Committee, or any five of them, shall have made any Order or Award in such aforesaid Cases respectively, that the said Person or Persons ought not to be sued, indicted, prosecuted, or molested for such Act or Thing respectively; then upon shewing the said Order or an Award to the Solicitors, Attornies, or Counsellors of the Party or Parties so suing, indicting, prosecuting, or molesting, as is aforesaid, the said Solicitors, Attornies, and Counsellors, shall presently forbear to prosecute or assist, counsel or advise the said Party or Parties to sue, or indict, or prosecute any further for such Act or Things respectively: And that if thereupon they shall not forbear so to do, the said Committee, or any five of them, are hereby authorised and required to commit to safe Custody, any such Solicitors, Attornies, or Counsellors, so offending as is aforesaid, if they shall see cause.

Proviso in the Indempnity.

Provided always, That this Ordinance, nor any Thing herein contained, shall not extend to discharge any such Person or Persons aforesaid, who have acted or done, or commanded to be acted or done, any Act or Thing by Authority of this present Parliament, or for the Service or Benefit thereof, from making their true and just Accounts *to any Commissioners or Committee of Parliament, appointed or to be appointed for that purpose, of what they have taken, received, or had, for the Service and Benefit of the Parliament, as is aforesaid.*

Arch-Duke Leopald, *to visit him.*

The House of Commons this Day considered of the Message from the Lords, whereof one part was, to desire the concurrence of the House, to an Order for Sir *Peter Killegrew* to go with a Letter from both Houses, to congratulate the Arch Duke *Leopald*, the Emperor's Brother, who is lately come to the Government of *Flanders*; to the end that Amity and Affection may be continued between these two Kingdoms.

Sir Peter Killegrew.

The House hereupon ordered to agree with the Lords in this Message, and that Sir *Peter Killegrew* shall go with this Congratulatory Letter.

The House referred the consideration of this Letter to a Committee, to be reported to the House with speed.

Sir *Peter* was referred to the Committee of the Revenue, to be satisfied his Disbursements in his late former Journies.

He was referred likewise to a Committee, to be furnished with Accommodation for this Embassy.

Mr. Browne, *Clerk in the Lord's House, had his Name forged to an Act of Parliament.*

The House then took into consideration another part of their Lordships Message, that Mr. *Browne*, *Clerk of the Parliament*, had his Name lately forged to a pretended Act of Parliament; and that this Writing remained in the Hand of a Member of that House. Ordered, that the said Writing should be delivered to Mr. *Browne*, that he may examine this Forgery, that so the Parties concerned may be repaired, and Mr. *Browne* vindicated.

Gentry of Northamptonshire *complain of heavy Pressures.*

A Petition was presented by the Gentry of *Northamptonshire*, of the heavy Pressures that Country lay under. This Petition was read, and ordered to be debated on *Thursday* next.

The Petitioners were called in, and Mr. Speaker acquainted them, that the House was very sensible of their heavy Pressures, and

and gave them Thanks for their constant good Affections to the Parliament and Kingdom, and that their Petition was ordered to be speedily debated.

Some of the Commissioners of the Army being come this day to the House, they made a Report of their Proceedings in the Army, and of the Desires of the Army, of which mention was made before, and a Declaration of the Army to clear Proceedings. And afterwards Mr. Speaker, by Command of the House, gave them Thanks for this good Service, and their great Pains therein; and ordered, that the rest of the Commissioners should have Thanks when they returned.

Commissioners sent to the Army report their Proceedings.

They then insisted upon the Desires of the Army; and upon Debate ordered,

Votes on the Report made.

1. That the Soldiers *Arrears* should be speedily audited, and a *visible Security* given them for so much of their Arrears as shall not be paid off upon *Disbanding*.

To pay Arrears upon disbanding, and visible Security.

2. That an Ordinance should be drawn, to make good the Declaration of both Houses, for *Apprentices* of *London* and other Corporations, to have their time of Freedom allowed them that have served in the Wars for the Service of the State.

Apprentices, who have served in the Wars, to have their Freedom allowed.

3. That an Ordinance shall be drawn, for not pressing of such Soldiers as have voluntarily served in these Wars, for any Service beyond the Seas.

That Soldiers shall not be pressed to serve beyond Seas.

4. That an Ordinance should be drawn for providing for a sufficient Maintenance for Widows, maimed Soldiers, and Orphans, in all the Counties of the Kingdom.

Widows and maimed Soldiers.

As to the point of *Vindication* of the Army from that Aspersion publickly laid upon them, of sending to the King to join with them; and also concerning the Declaration put forth against them, and to be repaired, concerning the Imprisonment of some of their Officers, the House referred it to a further Consideration, and the Debate of this Particular to be on *Tuesday* next.

Vindication of the Army against their sending to the King.

The Houses sate not, (*May* 22.) but several Committees, as the Committee for *Irish* Affairs, for the Navy, for the Admiralty, and some other Committees sate.

Some Citizens Petition, before mentioned, directed to the Commons *the Supream Authority*, was *this day burnt* at *Westminster* and the *Old Exchange*, as was ordered by the House.

The Petition to the Commons the Supream Authority, *burnt at* Westminster, &c.

This day *Intelligence* came from the Army, that since the Commissioners went up to *London* with the Grievances of the Army, and a Declaration of their Proceedings, all the Officers are repaired to their several Quarters, and that *Friday* the General, Sir *Tho. Fairfax*, came to the Head-Quarters at *Walden*, to the great Content and Joy of the Army: That all are quiet, and their Expectations great of the Pleasure of the Parliament concerning their Grievances, being in things relating to them as Soldiers.

The General's Return to Saffron-Walden.

But besides this, we had further Intelligence this day, concerning a Letter in Ciphers, from Mr. *Ashburnham* to the King at *Holmby*; which Letter was intercepted by Captain *Abbots*, a Captain of Dragoons in the Army, and is now unciphered; by which it appears, that Mr. *Ashburnham* advised the King to forbear to make any absolute Agreement with the Parliament, for now that the Peace beyond Sea, between the King of *Spain* and the United Provinces was almost concluded, the King might rely on the Aid of 40 or 50000 Men; with some other Passages. The Letter is brought up, and delivered to the Parliament.

Mr. Ashburnham's *Letter intercepted, giving hopes of foreign Force, 40 or 50000 Men.*

That Peace between Spain *and* Holland *is near a conclusion.*

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Success against the Gourdens *in* Scotland.

THE Affairs of *Scotland*, as to the ſubduing the Enemy there, goes ſucceſsfully on. *Hen. David Leiſley*, having already cleared the North of the *Gourdens*, is returned within thirty Miles of *Edinburgh* with his Army, intending againſt *Kilketto* in the Lord of *Argyle*'s Country, and the Weſt of *Scotland*, as it's believed, with whom will go the Lord *Argyle*. The inacceſſible Paſſage gives that very difficult.

Of the Affairs of *Ireland* from *Cheſter*, *May* 21. they write thus.

To ſend ſome Forces for Ireland, *to preſerve* Trim, *under the Command of Col.* Fenwick.

The Commiſſioners having now opportunity of Wind, reſolve for *Dublin* with ſuch Forces as they have ready. It is reported the Rebels are drawn towards *Trim*, of which Colonel *Fenwick* is Governor; for better preſerving whereof, the Lord of *Ormond* hath ſent 100 Horſe with Pick-axes and Shovels, being deſirous to preſerve as long as may be that, and what elſe he holds, in hopes that an Army for the Field may come out of *England* yet before all is loſt, and that Army under an active and ſtirring Chieftain, otherway time being much ſpent, it will be a great Deſtruction to *Engliſh* Bodies and Treaſure.

Succeſs in Ireland *by Colonel* Conway.

Colonel *Edward Conway*, the Lord *Conway*'s Son, returned to his Quarters at *Liſſue-Gerney*, in the Province of *Ulſter*, the 29*th* of *April* laſt, with a Party conſiſting of 300 or 400 Horſe, and 400 Foot, drawn out of the Regiments of the Lord *Claneboye*'s, Sir *John Clotworthy*'s, and Colonel *Conway*'s own Regiment, and out of Colonel *Hill*'s Regiment of Horſe, and other Troopers; they marched into the Rebels Quarters in the Countries of *Louth* and *Moneyhan* near *Currakin Roſſe*, met with five Companies of the Enemies Foot, and two of their Troops, whom they beat and purſued two or three Miles, and kill'd divers of them, and took a great Prey of lean Cows and Horſes, about a 1000 in Number; and the ſame Party intends the next Week to make another Expedition into another part of the Enemies Quarters, although they lie about 50 Miles diſtant from our Garriſon.

Intelligence as to Jerſey.

That the Governor did underſtand, That the Rebels of that *Iſland* which are at *London*, have procured Purſes from the Parliament to invade *Jerſey*; and that therefore he would have him to prepare againſt them, and he will take care to ſend him ſpeedy Relief, and Supplies from *France*, and that he ſhould baniſh all thoſe who ſtand for the Parliament, and to impoſe a new Oath on the Inhabitants; that the Deputy Governor hath clothed all his Soldiers in Red Coats, with the Cloath that was taken going for *Ireland*, which was brought thither by his Frigots.

More Intelligence of Peace between Holland *and* Spain, *to be ſuddenly concluded.*

More *Foreign News* which is writ from the *Hague*, *May* 24. Things are ſo far compoſed, and each now ſo well underſtand the other, that upon the matter *Peace with Spain* is reſolved by all, and will ſuddenly be concluded; which as it's very ſadly apprehended by the *French*, becauſe they thereby become Defendants in *Flanders*, being but 14000 ſtrong, the Arch-Duke 10000 Horſe, and 20000 Foot, and Beſieging *Armentiers*, which is not taken, only they hope to carry it by the 28*th* of this inſtant, as they give out; likewiſe it puts them upon a ſudden Reſolution to agree with *Spain*, for which end Monſieur *Servient* is haſtening to *Munſter*, matters being there in as good forwardneſs, as between the States and *Spain*; if this ſhould produce a general Peace, and ſo great a Soldiery thereby vacant of Imployment, who knows how they might

might be engaged by a little Money, which no doubt their Masters would give to be rid of them.

At the *Hague* there is great talk of the Parliament in *England*, and their Army falling out, and great wonder at it, as the Affairs of *Ireland* and others related to *England* stand. The Elector of *Brandenburgh* is taking his leave here, and going for *Cleave* with his Princess; the Prince of *Orange* goes along with him, and entertains him at his House by the way as he passes. He intends to be sworn in the Province of *Gelder*, *Zutphen*, *Overisselfrize*, &c. what the Latitude of his Power will be, will be considered of.

News from beyond Seas, that the Army and Parliament are falling out.

Tuesday, May 25.

A Report was this Day made to the House, from the Committee of *Irish* Affairs at *Derby-House*, to whom it was referred to consider of the time and manner of *Disbanding of the Army*, (but no mention in the said Order to report it to the House) and upon this Report it was ordered according to the Desires of the Committee.

A Report of the time and manner of Disbanding the Army.

That his *Excellency's Regiment* should first be disbanded on *Tuesday* next at *Chelmsford* in *Essex*, and so many as will engage for *Ireland* to be presently taken on, and a fortnights Pay advanced unto them out of the six weeks Pay, besides the two Months Pay of their Arrears; and they are to march to *Ingerstone*, there to receive Orders. That such of them as disband, shall have two Months Arrears paid them upon disbanding, they delivering up their Arms in the Church. The like for the rest at their several Rendezvous. That Colonel *Hewson*'s Regiment be disbanded at *Bishops-Stratford*, on *Thursday*, *June* 3. And those that engage for *Ire land* to march to *Puckridge*, there to receive Orders. Colonel *Lambert*'s at *Saffron Walden*, *June* 5. Advancers for *Ireland* to march to *Heydon*, to receive Orders.

The General's Regiment to be first Disbanded.

More Regiments to be Disbanded.

Colonel *Harley*'s at *Cambridge*, *June* 8. Advancers to march to *Stanton*, to receive Orders.

Colonel *Lilburn*'s to be disbanded at *Newark*, *June* 10. The Advancers for *Ireland* to march to *Boteskam*.

Colonel *Hardres Waller*'s at *Huntington*, *June* 12. The Advancers for *Thouston*.

Colonel *Hammond*'s Regiment at *Bedford*, *June* 13. The Advancers to march to *Newport*, &c.

Colonel *Ingoldsby*'s at *Woodstock*, *June* 14. The Advancers for *Chipping-Norton*.

Colonel *Fortescue*'s all engaged already, and marched to *Bromesgrave*.

Colonel *Herbert*'s engaged, and marched to *Camden* already.

Colonel *Rainesborough*'s designed for *Jersey*.

Field Marshal's Regiment at *Newcastle*, to be taken on for the Service of *Ireland*, and march according to Orders.

That the General should be desired to issue out his Orders to the several Regiments, to be at the times and place of their Rendezvous for Disbanding, and himself present at the Disbanding, and Field Marshal *Skippon*, who is then to take on such as will engage for *Ireland*. And in respect Colonel *Ingoldsby*'s lies far off, the General be desired to send some Officers thither to see them disbanded.

That the General be present at the Disbanding.

That every Captain of each Company, shall bring in a List of all the Names of his Company before the Disbanding.

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That ſuch Soldiers as have not two Months due in Arrears to them, ſhall have ſo much abated.

That 40000 *l.* ſhall be advanced for the diſcharge of theſe Foot Regiments.

That all Commiſſion Officers ſhall receive their particular Debentures upon their Accompt, made by the Committee and Treaſurers of the Army.

That the Exciſe in Courſe ſhall be the Security for payment of the inferiour Officers, and Common Soldiers of the Army. The Delinquents Eſtates in the firſt Exception in the Propoſitions, ſhall be the Security for the payment of the Arrears of the Commiſſion Officers of the Army, not yet diſpoſed of. Ordered,

Money for Disbanding to be ſent to the ſeveral Rendezvous

That the Money for Disbanding the ſeveral Regiments be conveyed with ſtrong Guards, to the ſeveral places of Rendezvous.

Lords and Commons in a Committee to go down to the Army, and give to every Regiment thanks at Disbanding.

That a Committee of Lords and Commons be appointed to go down to the Army, to give them the Thanks of the Houſe in the Head of each Regiment, for their faithful Service to the Kingdom, and to be aſſiſtant to the General in the Disbanding the Army.

The Lords this Day agreed to the Ordinance, for not preſſing of ſuch as had voluntarily ſerved in the Army for any Foreign Service.

Enſign *Nichols* was ordered to be diſcharged from his Impriſonment.

Colonel *Lilburn*, Major *Sanderſon*, &c. were ordered to be diſcharged from any further attendance.

May 26.

Monthly Faſt.

THIS Day being the *Faſt-day*, Mr. *Valentine*, and Mr. *Huſſey*, preached before the Lords, and Mr. *Caſe*, and Mr. *Hewes*, before the Houſe of Commons; after which the Commons ſate ſome time, and voted to give their Miniſters Thanks, and deſired them to print their Sermons.

Of a Son marrying his Father's Wiſe.

The Houſe debated concerning what Mr. *Hewes* acquainted them with, *viz.* That he had ſome few Days before received a Paper from a good Hand, that one of his Neighbour Country in *Kent*, had *marryed his Father's Wife*, and had a Child by her, and that he was now living, and ſome other Vices in that nature ſpoken of, whereupon it was ordered, that Serjeant *Wild* bring in the Ordinance on the Morrow for the puniſhing of Adultery, Fornication, and Inceſt. It was alſo ordered, that on *Wedneſday* next the Ordinance be brought in againſt Blaſphemy and Hereſie, and for the puniſhing thereof. And the Houſe ordered Mr. *Cawdry*, and Mr. *Strickland*, be deſired to preach before them the next Faſt-day.

Againſt Hereſie and Blaſphemy.

Torrington Church.

Upon a motion in the behalf of *Torrington* in the Weſt, for ſome relief for the building of that Church, which in the heat of the Fight with the Lord *Hopton* there was blown up; it was voted to be referred to the Committee of the Weſt, to take it into Conſideration, and to report it to the Houſe.

The General removes his Quarters from Walden to Edmunds-Bury.

This Day from the Army came Intelligence, That his Excellency, Sir *Tho. Fairfax*, was removing his Head Quarters from *Walden*, to St. *Edmunds-Bury* in *Suffolk*, that ſo he might be nearer the Horſe, and the better take notice of their Deportment, to prevent any Diſtempers in the Army, and that the Soldiery might be acquainted

of

of the House of Commons late Proceedings, in relation to the Grievances of the Army; his Excellency writ a Letter to the several Regiments, in these Words.

For the Officer in Chief with the Regiment of Colonel ——

The General's Letter to the Officer in chief with every Regiment, that the Soldiers forbear any further Actings without their Officers.

I Desire you forthwith to take Order, that notice be given by you to the several Companies of your Regiments, That the Grievances of the Army were on Friday *last presented to the House of Commons, and are by them admitted to be heard, and taken into Consideration. I do therefore require the Soldiers, to forbear any further Actings by themselves without their Officers in any irregular ways, and all Officers are strictly to see to it in their several Charges, That there be no more such Meetings or Consultations of Soldiers at* Bury *or elsewhere.*

Given under my Hand the 24*th* of *May*, 1647.

T. Fairfax.

Intelligence of a Petition of some Officers in the Army to the General.

Further Intelligence of a Petition of divers Officers in the Army, presented to his Excellency at *Saffron Walden*, *May* 23. which for better Satisfaction was thus *verbatim.*

The Petition it self followeth.

To his Excellency Sir Thomas Fairfax, *the Petition of divers of your Excellency's Officers.*

After their humble Thankfulness for those notable Successes God hath blessed them with, under your Excellency's Conduct, and acknowledgment of your eminent Diligence, unwearied Industry, and exemplary Forwardness in the Publick Service; they have thought it necessary at this time in all humility, to present to your Excellency their sensibleness of some Aspersions cast upon them, as if they aimed more at private Emoluments, than your Excellency's and the Army's Honour, or the Soldiers Advantage, thereby alienating the Affections of their Soldiers from them, and rendering them less capable to serve the Publick.

They therefore humbly beseech your Excellency not to receive any Impressions from these Imputations, but that you will be pleased to rest assured, that as they can be out-done by none in their Fidelity to the Parliament, and Constancy to those Principles they first undertook their Service upon, so neither in the high esteem of your Excellency's Person and Conduct, nor in these Desires, That the Army be disposed of with most Advantage to the Kingdom, and with the Honour and Satisfaction of the Soldiers, professing that they will by all lawful means endeavour their good and welfare as their own, and as their Judgments guide them to believe they ought to defend, *not to direct* the Proceedings of those by whose Authority they were raised. Subscribed by Colonel Sir *Robert Pye*, Colonel *Graves*, Colonel *Sheffield*, Colonel *Butler*, Colonel *Fortescue*, and many Officers of the Army.

Thursday, May 27, 1647.

Earl of Ancram *to have part of his Arrears.*

A Message came this Day from the Lords, desiring to recommend the Earl of *Ancram* to the House of Commons, for payment of some part of his Arrears.

Hereupon a Letter was read from the Commissioners of *Scotland*, directed to both Houses of Parliament on the behalf of the said Earl, and after some Debate it was ordered, that 1500 *l.* should be paid to the said Earl in part of his Arrears.

That 10 *l. per* Week should be paid to the said Lord out of the Revenue, till further Order.

Some of the Militia move for more Money for the City Guards.

The House was informed, That some of the Members of the Militia of the City had something to present to the House, they were

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were called in, and one of them presented to the House some Informations and Desires, and the Grounds of those Desires to have the Sum of 12000 *l.* more than was formerly ordered, for maintenance of their Guards.

12000l. ordered to the Militia of London *for the City Guards.*

The House considered thereof, and agreed to it; and ordered that this 12000 *l.* should be advanced upon the Security of the last 200000 *l.* in course.

The House ordered that 18000 *l.* should be advanced on the same Security, for the repayment of such poor People as have advanced any Monies upon the Publick Faith of the Kingdom, it being under the Sum of 5 *l.* or not exceeding that Sum.

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Maimed Soldiers, Widows, and Orphans.

AN Ordinance was this Day past by both Houses, for making sufficient Provision of Maintenance for maimed Soldiers, Widows, and Orphans in this Kingdom.

Accounts of the Officers of the Army to be stated.

An Ordinance likewise past for stating the Accounts of the Officers of the Army.

Pay for inferior Officers and Soldiers.

An Ordinance likewise past the House of Commons for charging the Sum of 15000 *l.* upon the Excise in course, for security of the Payment of the Arrears of the inferior Officers and private Soldiers of the Army.

An Ordinance past, for taking the Officers Accounts of the whole Kingdom; and transmitted to the Lords for their Concurrence.

A Declaration Congratulatory from both Houses to the Army.

A Message this Day came from the Lords, desiring the Concurrence of the House of Commons to a Congratulatory Declaration, to be sent from both Houses to the *Army.*

Votes for disbanding of the Foot. The Earl of Warwick *and Lord* Delaware *to be present.*

And to a Letter from both Houses to the General, with the Votes of the Houses to be inclosed, to desire his Excellency to communicate the said Votes for *disbanding of the Foot Regiments* of his Army; that their Lordships had named the Earl of *Warwick* and the Lord *Delaware* Commissioners, to go down to the Army, to assist the General in disbanding of them.

Members of the House of Commons to go with the Lords to the Army, to see their disbanding.

The Commons agreed to the Declaration with some Amendment, and to the Letter and Votes; Sir *Gilbert Gerrard*, Sir *John Potts*, Mr. *Grimston*, and Mr. *Knightly* to be Commissioners, to go down with the Lords Commissioners to the Army.

The Artillery of the Army to be sent to Ireland, *the remainder to the Tower.*

It was referred to the Committee for *Ireland* at *Derby* House, to dispose of the Train of Artillery belonging to the Army; and so much thereof as shall not be made use of for the Service of *Ireland*, to be brought unto the Tower of *London.*

500 l. for the Commissioners Charges.

The House ordered, That 500 *l.* should be presently advanced to the Commissioners that are going down to the Army, for the defraying of their Charges there.

Col. Rainsborough *to stay his Regiment.*

Colonel *Rainsborough* was this Day ordered to go down with his Officers to his Regiment, and command his Regiment to stay where he finds them, till the House take further Order.

Capt. Latimer Sampson *to command at* Bristol.

A Letter this Day came from the Field Marshal *Skippon*, desiring that Colonel ——— Deputy Governor of *Bristol*, may have liberty to come to *London*; and that Captain *Latimer Sampson* may command in his stead. The House agreed thereunto according to his Desire.

Saturday, the Houses sate not. From the Army we had thus much further, That his Excellency, Sir *Tho. Fairfax*, removed his Head-Quarters from *Walden* to *Bury* on *Tuesday* last, the better to advise

advise what is fittest to be done to keep the Army from Distemper. That the Votes of the Houses on *Tuesday* last, for the time of their Disbanding, with eight Weeks Pay, are come to the Army, but they generally seem unsatisfied therewith, and say there is fifty six Weeks Pay behind due to them; and conceive they should be better rewarded for their unwearied Pains and Hazards for the Parliament and City. But the General, to prevent what in him lies, all Distempers in the Army, hath sent for all his Officers to *Bury*, to advise what is to be done; and we hope all things will be quieted, and the great Design and Aim of those, who would too gladly bring the Army into Disorder, come to nought.

Intelligence that the Soldiers conceive 8 Weeks to disband is not suitable to 56 Weeks due.

The General sends for his chief Officers to Bury.

Major General *Mitton*, and the Committee for *North-Wales*, have, after their great Pains and Care, settled the Distempers of the Soldiers that were there, and have disbanded all their Foot; and prepared a Regiment of betwixt 700 and 1000 of them for *Ireland*, they marched to the Water-side to take Shipping the beginning of the last Week.

For the Foot in North-Wales, 700 *for* Ireland.

Saturday, May 29, 1647.

THE great *Expectation of the Kingdom* now is concerning the Army; from whence Intelligence comes to this purpose: And first from St. *Edmunds-Bury*, the General's Head-Quarters, we had this day Intelligence to this purpose; His Excellency having thought it requisite, for the better Knowledge of the Temper of the Soldiers, in relation to disbanding, to call a Council of War at *Bury*; accordingly the Officers met there on *Saturday*, about 200 in all. The General first communicated unto them the Votes of both Houses concerning *the Time* of disbanding several Regiments; and having advised them to a compliance with the Order of Parliament, and used several Perswasions thereunto.

Time of Disbanding.

The Council of War first had a Presentation made of the Condition of each Regiment, and of such Companies whose Officers were there. Upon the Result, it was put to the Question, Whether by what they had observed in their Regiments, the Votes then read were satisfactory or no as to the Soldiers? It was resolved in the Negative by all, [except Lieutenant Colonel *Jackson*, Major *Gooday*, Captain *Highfield*, Captain Lieutenant *Knight*, Lieutenant *Heydon*, and another] the Reasons were,

Votes of Parliament dissatisfactory.

1. That the Sum voted of eight Weeks Pay, was not a considerable part of their Arrears. 2. That no visible Security was given for what should not now be paid. 3. That nothing was done for Vindication, and that they being *declared Enemies*, and sent home, they might hereafter be proceeded against *as Enemies*, unless the Declaration were recalled. After this a Petition was produced and read, which had been that Morning presented to the General, in the name of the private Soldiers of the Army, Horse and Foot, desiring his Excellency to appoint a general Rendezvous of the Army before their Disbanding; it being an occasion of Amazement to them to hear some of the Army should be disbanded so suddenly as *Tuesday* next, before all their Grievances were redrest. This was not then proceeded upon; but to prevent Disorders, and for a more readiness to suppress them, a Resolve passed by the Council of War, that the Quarters of the Army shou'd be contracted nearer to the Head-Quarter, the matter of the Rendezvous being referred till the Afternoon; in the mean time Com. Gen. *Ireton*, Col. *Lilburne*, Col.

Reasons why the Votes are unsatisfactory.

That the Quarters of the Army be contracted.

An. 1647

Okey, Col. *Rich*, and Col. *Harison*, were appointed to draw up some Heads of Advice, to be presented to the General by the Council of War, and it was resolved upon the Question in the affirmative, by all, [except five or six Officers.] The Reason of this was, that considering how much the Army is aggrieved and discontented, the matter of drawing to the general Rendezvous was accordingly resumed in the Afternoon. At present it was thought there was a necessity for the Officers to comply with the Soldiers, who, as indeed was intimated, *would have a Rendezvous without their Officers*, which would be *tumultuous* and of dangerous Consequence, the Spoil of the Country, and destructive to the Kingdom. After this, having before appointed a *Declaration* or Advice to be drawn up, to be presented to the General, as their Opinions of the Ground and Reasons of a Rendezvous, it was read, and passed by all, except four or five; and further, that his Excellency should be desired to represent the condition of the Army to the Parliament; that they would be pleased to *resume* the Condition of things voted on *Tuesday* last, and to suspend any present Proceeding upon them; as also some Satisfaction as to Grievances of the Army, together with the things proposed in the Conclusion of the *Narrative* from the Officers; and that they would be pleased to give some Resolution to each of them.

The Soldiers inclined to rendezvous without their Officers.

That the Soldiers Grievances may be considered.

A Copy of the Soldiers Petition to the General, was as follows.

The Soldiers Petition to the General, against being disbanded apart; and against the word Enemies, *reflecting on the Army.*

To his Excellency Sir Thomas Fairfax, *Knight*, *Captain General of the Forces raised by the Authority of Parliament*, The humble Petition of the Soldiers *of the Army*, *presented to his Excellency at a Council of War*, *held at St.* Edmunds-Bury, *on* Saturday, May 29, 1647.

Humbly sheweth,

THAT we your Petitioners, considering the late Order for Disbanding the Army, without redressing our Grievances, vindicating the Army, or calling to account such Persons who have been Intenders, Contrivers, and Promoters of our Destruction; which, being but reasonable, we humbly conceive we may justly expect, and should not be deny'd to be judged before our Disbanding. Considering also the strange, unheard of, and unusual way of Disbanding us apart, one Regiment from another, contrary to the Example of other Armies disbanded in this Kingdom; which Posture renders us suspicious to the Kingdom, to whom, for some of our Complaints, tho' humble and just, we have already been declared *Enemies*; and to whom, for ought we know, the rest of our doings may be presented with the same Construction. We your Petitioners humbly beseech your Excellency, you would be pleased *to appoint a Rendezvous speedily* for the Army, and also to use your utmost Endeavours that it be not disbanded before our sad and pressing Grievances be heard, and fully redressed; which if not done before Disbanding, we humbly conceive we shall be enforced upon many Inconveniencies, which will of necessity arise, when we, though unwillingly, shall be necessitated, for avoiding of Destruction like to fall on the whole Army, if not prevented, to do such things our selves; which if your Excellency, out of your Wisdom and Prudence shall prevent, by granting our just Desire in a way of Order, we shall abundantly rejoyce in it, and be with Chearfulness enabled by it to subscribe our selves,

Your Excellency's and the Kingdom's innocent and faithful Servants, whose Names are hereunto annexed, being *Agitators* in behalf of the several Regiments.

Tuesday,

Tuesday, June 1, 1647.

LEtters were this Day read in both Houses from his Excellency Sir *Thomas Fairfax*; the Letter, *verbatim*, was thus.

The General's Letter to the House of Lords, that he communicated the Votes of Parliament to the Army, May 30

My Lord,

YOUR Lordship's Letter of the 28th I received Yesterday, with the Votes of both Houses inclosed therein; before the Receipt thereof, I had called the Officers unto a general Council of War, to advise concerning the Transaction of the business, and prevention of Inconveniencies thereupon; and when they were in Consultation, I communicated your Lordship's Letter, and the Votes therein sent, unto them: After much time spent in debate thereof, this inclosed was delivered unto me by the Officers, as the Result of the Council of War; which being of very great Concernment, I thought it my Duty to hasten unto your Lordships. It is no small Grief of Heart unto me, that there should be any Dissatisfactions betwixt the Parliament and the Army, and that the late Votes did not give Satisfaction. I beseech God to direct your Lordships to proceed with Wisdom, that things may be determined in Love, and this poor Kingdom free from further Distraction; which is the earnest desire of

But it gave not satisfaction.

Your Lordships most Humble Servant,

Bury, May 30,
1647. *Thomas Fairfax.*

For the Right Honourable the Earl of *Manchester*,
Speaker of the House of Peers, *pro tempore*.

His Excellency writ another Letter to the Speaker of the House of Commons, *viz.*

The General's Letter to the House of Commons, concerning the Army, as to disbanding.

Mr. Speaker,

HAving called the Officers of the Army to St. *Edmunds-Bury*, I communicated unto them Yesterday the Votes of both Houses, and a Letter of the House of Peers sent therewith, concerning the disbanding of the Army; after long Consultation had thereof, this inclosed was delivered unto me, as the Result of the Council of War, where the Officers were very many and unanimous: Which being of Importance, I held it my Duty to hasten the same unto you, being much perplexed in my Thoughts, that Dissatisfaction betwixt the Parliament and the Army should rather increase than lessen. I intreat you, that there may be ways in Love and Composure thought upon; I shall do my Endeavours, though *I am forced to yield to something out of Order, to keep the Army from Disorder*, or worse Inconveniencies. I desire you to take some speedy Resolution for the composing of things, whereby the Kingdom may be happy in a timely Deliverance from further Distraction; for the effecting whereof, I cou'd be content to be a Sacrifice, as the last Service you can have from,

Your most Faithful and Humble Servant,

Bury, May 30,
1647. Thomas Fairfax.

For the Honourable William Lenthall, *Esquire*,
Speaker of the Honourable House of Commons.

A Letter from the Commissioners of Parliament in the Army.

A Letter likewise was read from the Commissioners of Parliament, giving account of what they had done in Prosecution of the Command of both Houses of Parliament.

Votes to recal the Money sent to disband the Army.

The House of Commons, upon Debate hereof, ordered, That the 7000 *l.* sent to *Chelmsford* for disbanding the General's Regiment, be recalled.

That 3500 *l.* sent to *Woodstock* to pay Col. *Ingoldsby*'s Regiment at *Oxford*, be recalled.

An. 1647.

That the Commissioners of both Houses sent to the Army be forthwith recalled.

That Field Marshal *Skippon* do attend the House forthwith.

And the Commons sent a Message to the Lords for their Concurrence in these Votes, to which their Lordships agreed.

A great Debate was likewise further this Day concerning the Army, but nothing determined on.

Duke of Buckingham.

The Lords sent a Message to the Commons, to acquaint them with the business concerning the Duke of *Buckingham*, and their proceeding for the taking off his Sequestration, with Reasons for the same, desiring the Concurrence of the House of Commons.

Kilkitoth *retreateth.*

Letters from *Scotland* this Day, give to understand, that General *David Lesley*, having notice that *Kilkitoth* was retreated out of *Argyle* into *Canair*, and *Antrim* into the Isles, he drew his Men to *Inermage* Castle, the Forces Quartering between *Sterling* and *Dunkel.* *Antrim* hath forced divers Fishermen to wait upon him. Some *Irish* Rebels are expected to come to him, or else he will over thither to them.

Col. Rainsborough*'s Soldiers stop Money, going to* Disband.

A Letter this Day from Colonel *Rainsborough* from *Cullum*, of the Quartering of his Regiment, and the demeanour of some of them. We understood likewise that the 3500 *l.* sent to Colonel *Ingoldsby*'s Men, and by Order of the House sent for back, was *stopped* by Colonel *Rainsborough*'s Men at *Woodstock.*

A Petition laid aside, subscribed by 10000 *Hands.*

A Petition was this Day presented to the House by many Citizens of *London,* who had *a former Petition* the last Week before it, was signed with near 10000 Hands, and read; and after much Debate the House ordered it should be laid aside.

That a Book of a List of Names who have received Pardons be brought to the House.

The Committee of *Haberdashers-Hall* was this Day ordered to bring the Book to the House remaining in their Custody, wherein the Names are of such Persons as have received their Pardons from his Majesty.

A Months Pay to the Soldiers drawn from the Army for Ireland.

The House then had some further Debate concerning the *Army*, and ordered, that the Forces drawn from the Army, and intended for *Ireland,* should have a Month's Pay given them, and their Quarters to be discharged, and that a Muster-Master be sent to them to see true Musters made.

Petition of Widows, 3000 l. *ordered them.*

A Petition was read of many Widows, *&c.* whose Accompts are with the Committee of the Military Garden, and ordered that 3000 *l.* part of the 10000 *l.* charged upon *Goldsmiths-Hall* for poor indigent Persons, be paid to the Committee of the Military Garden, to be disposed by them to the Petitioners.

Members to take the Covenant.

The Order for Members of the House to take the Covenant, this Day was ordered to be respited till this Day seven-night.

M. G. Skippon *came this Day to* London.

This Day Major General *Skippon* came to *London*, according to the Order of Parliament, and the rest of the Commissioners sent to the Army; the Money likewise is safely returned from *Chelmsford.*

CHAP. XV.

Proceedings in Parliament from June 3, *to* July 5, 1647.

SEveral Orders of the Commons assembled in Parliament, (*viz.*) *June* 3, 1647.

1. For receiving Complaints against such Members, their Clerks or Servants, as have received any Bribes.

2. That

2. That the Members absent forthwith attend the Service of the House. *23 Caroli.*

3. That no Person that hath been actually against the Parliament, or acted by the Commission of Array, shall presume to sit in the House.

Ordered (upon the Question) by the Commons assembled in Parliament, That the Committee formerly appointed for receiving the Complaints against such Members as shall be complained of, to receive any Bribes or Rewards for any business done in Parliament, be revived, and that they do sit to Morrow at two *Post Meridiem* in the Star-Chamber, and so *de die in diem.*

And further, they are to consider and receive Complaints of all Fees, Monies, or Rewards, taken by any Servant of any Members, or by any Clerks, or Officers, or other Persons attending upon, or employed by any of the Committees.

They have further Power to consider of, and enquire into any matter of Bribery, Corruption, Allowance, or Reward, committed or taken into any business, that hath relation to the Affairs done or agitated in Parliament, or by any of their Committee. Mr. *Bulkley*, Mr. *Reynolds*, Sir *John Evelyn* of *Wiltshire*, Mr. *Dove*, Sir *Tho. Dacres*, and Colonel *Strode*, be added to this Committee, and the Care of this business is more particularly referred unto Mr. *Bulkley*.

Thursday, June 3, 1647.

THIS Day the House proceeded further upon the business of the Army, and passed several Votes, That an Ordinance be brought in for authorizing the Assignments of any Officers Debenters, and for making of it a good Debt to the Assigned; and that such Officers as are attending the Committee of Accompts, be protected from Arrests from Debt, during the time of their attendance on the said Committee, provided it doth not exceed two Months.

That such Officers as are in Prison, shall have their Accompts first audited, and their Arrears first paid them.

That such Officers as cannot attend the perfecting of their Accompts, shall leave their Accompts with the Committee; the House declaring that they will do with them in their absence, as they do to others in that Case.

That the Committee of Accompts do perfect and expedite the Accompts of the Officers of the Kingdom, and that they return them to the House so soon as they are perfected.

The Desires of the Army was this Day proceeded in, and ordered, that the Common Soldiers of the Army shall have all their Arrears, deducting for free Quarter, according to the ordinary Rules of the Army.

That the Subordinate Officers, not in the Commission, shall have the like.

That the Commission Officers of the Army shall have one Month's Pay more added to the two Month's Pay formerly voted.

That a Letter be written to his Excellency, to give him an account of what the House had done upon the desire of the Army, desiring his Excellency to continue his care in keeping the Army in good Order and Discipline, and from all Disturbance.

An Ordinance past for the Sum of 10000 *l.* for the satisfying the present Necessities of the Officers and Soldiers whose Accompts are

An. 1647. are stated, and whose Accompts are in stating, to be advanced upon the Credit of the Moiety of the Commissioners at *Goldsmiths-Hall*, and paid to the Committee, where Colonel *Birch*, and Mr. *Goodwyn* have the Chairs, to be by them distributed, in such Proportions as those two Committees, who are joyned as to this business, shall think fit.

That the Declaration dated —— Declaring against the Army, be raced out of the Journal of the House, and accordingly it was done; and further ordered, That the Lords be desired to race it out of their Journal also.

This Day we had further by Letters from the Army, to this purpose.

On *Tuesday*, *June* 1. The General received two Letters from the Committee at *Derby-House*, the one to be at *Chelmsford* as that Day, and renewed their Desires to have the Life-Guard there, which was done 60 Miles off; and withal that the Parliament did expect the Obedience to Disbanding, as also to their Orders for sending the Train immediately to *London*; in answer to all which, the General desired to be excused, giving them to understand, That he had written to the Parliament, and expected their Pleasure upon the result of War. From *Chelmsford* we understood, on *Tuesday*, That the General's Regiment, of their own accord, were come away with their Colours and Drums nearer the Army. Captain *Highfeild*'s Men took away their Colours against the Captain's Consent. The Lieutenant Colonel and Major meeting them with Orders, advised them to receive the General's Orders (which they had indeed with them) and bid them march like Soldiers, but they were so earnest upon the business (you see then the Officers do not altogether lead them) that they bid them both to go to *Chelmsford*, there was Money enough to disband them. The Lieutenant Colonel and Major went to *Chelmsford* to the Commissioners.

Friday, *June* 4, 1647.

A Second Ordinance was this Day in the House of Commons, to give satisfaction to the Army in point of Indempnity, being more copious than the former, which was read, and referred to a Committee chosen for that purpose. They were likewise to prepare an Ordinance of Oblivion, and report it to morrow Morning to the House.

The Commissioners of the Great Seal were ordered to be continued till forty Days after the Term.

The Ordinance for hearing the Causes in Chancery, was ordered to be continued that time.

A Letter this Day came from the Parliament's Commissioners at *Homlby*, with an enclosed Note delivered in by Cornet *Joyce*. Captain *Titus*, that brought this Letter, being at the Door, was called in, and declared the manner of the Carriage of the Party of Horse that came to *Holmby* to remove the King.

Captain *Titus* was ordered 50 *l.* to buy him a Horse.

A Message this Day came from the Lords, desiring the Commons Concurrence to an Order for recalling the King's Children to the City of *London*, and likewise a Letter to be sent to his Excellency.

The House agreed to the Order for recalling the King's Children;

dren, and the King's Children are accordingly come to *London*, and to the Letter they would send Answer by their own Messengers. 23 *Caroli.*

Two Members of the House, being discontented, withdrew; which the House taking notice of, sent the Serjeant at Arms for them, and they coming into the House, were enjoyned to keep their Place.

Saturday, June 5, 1647.

THIS Day more Letters came from the Commissioners with his Majesty, of the taking away of his Majesty, and the Commissioners from *Holmby*, by a Party of the Army; which was thus. On *Friday* Night last, a Party of Horse, sent from the Committee of Troopers in the Army, came to *Holmby*; where, after they had secured the Guards, they demanded his Majesty. The Commissioners being much amazed at it, demanded of them what Warrant they had for what they did? But no further account they were to give at present they said, but thus; That it was the Sense of the Army. When they came to his Majesty, some Discourses past, and his Majesty demanded several Questions of them, as Security for his Person and Attendants, *&c.* which they promised should be done; and about two or three a Clock on *Friday* in the Afternoon his Majesty went from *Holmby*, and the Commissioners along with him, with this Party towards the Army; but before they went, his Majesty delivered a Message to the Earl of *Dumferling*, to bring to the House, whereof more hereafter.

Friday Night his Majesty lay at *Huntington*, and we hear not that he is gone further yet.

Mr. *Walford* that brought the Commissioners Letter, was called into the House of Commons, and declared the manner of the business, and had a 100 *l.* given him for this and his other Services.

Sir *Robert Pye* this Day had the Thanks of the House for bringing off his Troop, and his Officers Thanks likewise, 200 *l.* was ordered to be paid them for their present Necessity, and referred to the Committee of *Ireland* to assign them Quarters. The like Monies and Quarters ordered for Colonel *Graves*'s Regiment.

The House then also ordered 1000 *l.* for the twenty Officers, and 80 Common Soldiers that are come from the Army; and the Committee for *Ireland* to assign them Quarters.

The additional Ordinance for further Indempnity of the Soldiery, was this Day again reported and assented unto.

Likewise a Declaration past the Commons, for calling in the Declaration of both Houses about the Army, and was sent up to the Lords for their Concurrence.

The Treasurers at Christ's Church were ordered to pay the 10000 *l.* charged on *Goldsmiths-Hall*, for the Payment of Soldiers late in the Service, to be issued out by Order of the Committee, where Mr. *Goodwyn* hath the Chair; the Lords agreed to the Votes concerning the Army.

The Commons upon further Debate ordered, That all the Members of the House should attend the House forthwith, notwithstanding they had leave from the House to go into the Country, and this Order to be speedily sent to all the Members that are absent.

A

An. 1647. A Conference was this day desired by the *Scots* Commissioners, and a Committee of both Houses, upon the great Affairs of both Kingdoms; and a Conference was had accordingly.

The Lord *Dumferling* at this Conference acquainted them with the Message he had from his Majesty to both Houses, which was but short, and to this purpose.

1. That his Majesty was unwillingly taken away by part of the Army.

2. That he desired both Houses to maintain the Laws of the Land.

3. And that tho' his Majesty might sign many things in this Condition, yet he would not have them to be believed, until he had given further notice to the House.

The House, upon occasion of this, and other immergent business, ordered to sit to morrow (though the Lord's Day) at four of the Clock, and that Mr. *Marshal* should be desired to pray before them.

The Militia of the City of *London* sate this day very close, upon the Military Affairs of the City.

From the Army this Evening we had further Intelligence by Letters, to this purpose.

Friday, June 4. The Rendezvous of the Army was held near *Kenford,* six Miles from *Bury*; seven Regiments of Foot and six of Horse appeared; Colonel *Whaley*'s being before dispersed towards *Holmby,* (by the General's Command) upon this day's Intelligence, that our Party of Horse had secured his Majesty; the General gave notice of this to the Commissioners, and hath signified the same to both Houses, desiring to know their further Pleasure: He hath likewise sent them the Grounds, enclosed in the Letter, from the Soldiers to himself, for their undertaking the same of themselves, which were chiefly, That they had intimation of a Design, which they were able to make good, (of some) to surprise him. Colonel *Graves* is discharged from that Employment, and Colonel *Whaley* in his place. At the Rendezvous a Petition was presented to the General, in the Name of the Soldiers of the Army; the Substance was, That they could not be satisfied with their Arrears, or other Returns, unless they had assurance that their Enemies should not be their Judges (for the future;) and that 'tis believed they will insist upon. The General went to every Regiment, and exprest himself with much Judgment and Moderation, assured the Soldiers, That the Parliament took notice of their civil and fair Carriage, and had taken a course for satisfying their Arrears, and doubted not but they would answer their other Grievances; advised them to Moderation, and to behave themselves with Discretion, and not to fall into any Distempers or mutinous Expressions against the Parliament. It is not to be exprest with how much Joy, and how many Acclamations his Excellency was entertained by the Army, each Regiment shouting as he passed by them; the General staid till Night in the Field, viewed and took order for Ground to be allotted to each Regiment (Horse and Foot) to quarter in that Night; and himself came to a small Town of *Kenford*, and went not to Bed, but only lay down to take some Rest.

Kenford, near *Bury, June* 5. at 3 in the Morning.

An

23 *Caroli.*

An humble Representation of the Dissatisfactions of the Army, in relation to the late Resolutions for so sudden Disbanding; shewing the Particulars of their former Grievances, wherein they did remain unsatisfied, and the Reasons thereof.

Unanimously agreed upon, and subscribed by the Officers and Soldiers of the several Regiments at the Rendezvous *near* New-Market, *on* Friday *and* Saturday, June 4, *and* 5. *Presented to the General, to be by him humbly represented to the Parliament*, viz.

WHereas upon the Report made to the House of Commons on *Friday, May* 21, concerning the Grievances of the Army, that House was pleased to pass several Votes, seeming to tend towards the Satisfaction of the Army in some Particulars; and on the *Tuesday* following (*May* 25.) to pass divers Resolutions upon a Report from the Committee at *Derby*-House, concerning the disbanding of the Foot of this Army, each Regiment apart, at several times and places. We humbly declare, That the said Votes of *Friday* do come far short of Satisfaction, (as to the said Grievances) or to the Desires proposed by the Officers in the Conclusion of their Narrative. And that the latter Votes of *Tuesday*, importing a Resolution of disbanding the Army in part, before equal Satisfaction be given to the whole in the Grievances, or so much as any Consideration had of some others, as are most material; and also before any effectual Performances of that Satisfaction, which the Votes of *Friday* seemed to promise as to some of the Grievances; we cannot but be much unsatisfied and troubled at it, as in the Particulars following we have cause.

First, The Proportion of but *eight weeks Arrears* to be paid at disbanding, as it is unreasonably short of what is most due, and what we conceive may be paid, or might easily have been provided, since the Parliament had the Kingdom so long cleared, all Trading and Commerce opened, vast Sums of Money brought in upon Delinquents Compositions and otherwise, and great Foundations of Security in their Hands, (besides those formerly engaged for the *Scots.*) And as it is but a *mean Reward* for all our Labours, Hardships and Hazards in the Kingdom's Cause, and a very *slender Supply* to carry us to our homes, in a Condition suitable to the Parliament's Honour and our Success; and much less to enable those that have left good Trades, or other ways of livelihood, and suffered much in their Trades or Stocks by so doing, to set up again in their former Callings and Conditions; so it is but little (if any thing) more than what hath been due to us, since that time that we first went about to have petitioned for our Arrears, and so not to be accounted in Satisfaction towards former Arrears, which the Petition was meant for.

Secondly, In the Orders given for the stating of our Accompts, giving Debentures for our Arrears by the Committee of the Army, we find no Consideration or Regard had of our Arrears incurred in the former Army or Services; which to the most of us are much greater than those under the new Model, intended to be stated by the Committee for the Army; (as the Narrative of the Officers, printed by mistake under the Name of their Declaration) did intimate before.

Thirdly, We cannot but consider, that (whatever the Officers expectances upon Debentures may prove) the private Soldier may well make little account of whatever part of his Arrears he receives not before disbanding, as the Reasons exprest in the Narrative do shew. And whereas we hear of some Instructions past in an Ordinance for stating of Arrears, we understand that they direct 3 *s.* a Week to be abated to Foot Soldiers for Quarter; which being 6 *d.* or 8 *d. per diem* above the rate they should have paid for themselves, if they had timely had Pay wherewithal, it seems very hard the poor Soldier should allow *Interest* for the forbearance of his own Due.

The like disproportion we find in the Abatements to Serjeants of Foot, for their Quarters. In the Abatement for Quarters to Officers of Horse and Dragoons, we find one third part of the whole Pay to them due, both for themselves and their Horses, is to be defalkated, though the full Pay for

An. 1647. their Horses is not allowed in the Accompt, unless they make it appear by Musters that they kept their full Numbers; and the third part of their full Pay amounting to the half or near the half of their present Pay, seems an unreasonable Allowance for Quarters, especially in the case of Captains and Field Officers.

We find also no Provision made for private Soldiers of Horse and Foot, or any Officers in Commission or not in Commission, in relation to any Quarters discharged by them; but all such are absolutely to abate the respective Rates for Quarters during their whole time, whether they have paid Quarters for any part of their time or no. Whereas we know assuredly, and can make appear, That all of them, during their Service in this Army, (and most of them in their Service in the former Armies) have really discharged their Quarters, for a very great part of the Pay received they were bound to have done; having, without respect to that, many times paid freely as far as their Money would hold out, partly out of desire not to be burthensome at all to the Country as far as they could, and partly upon expectation (grounded upon the many Promises, and often renewed, of constant Pay for the time to come) that Money would come in time to pay them off, and reimburse them their full Pay again, without Defalcation for Quarters. We find it also provided, That no Trooper is capable of Allowance or Debenture for Arrears, unless he deliver in such Horse and Arms with which he hath served, or a Certificate that such Horse and Arms did not appertain to the State, or else was lost in actual Service; which extends to the total taking away from them those Horse and Arms of the States, which they have used and preserved in the Service, contrary to the Favour allowed, and never (that we know of) denied in the disbanding of any other Army: And if that, being but a matter of Favour, the Horse-men in this Service be thought unworthy of it, and must for account of their Arrears rebate for such Horse and Arms as, upon disbanding, they thought to have been given them; yet it seems hard, that such as cannot deliver in those States Horses and Arms, which at disbanding they so understood to be their own, and so perhaps have sold or otherwise disposed of, should for that lose their whole Arrears, or be incapable of Account or Debenture for any part thereof.

Fourthly, The visible Security for what Arrears should not be paid at disbanding, (which the Votes of *Friday*, *May* 21. seem to promise) as it stands propounded in the Votes of *Tuesday*, *May* 25. appears not to be either a Security sufficient, or to us visible.

1. Because that Security of the Excise in course, proposed for the Arrears of private Soldiers and inferior Officers, is known to be already pre-ingaged for vast Sums, amounting to above a *Million*, that are to take place before those Arrears; nor do we know certainly, that the Excise (which is yet but temporary) will be continued for so long time, as till our Arrears shall come out in course after the preceding Engagements satisfied.

2. Because that Security proposed for Officers Arrears, *viz.* the Profits arising out of Delinquents Estates, in the first Exception (especially) being limited to such as are not already disposed of, it doth not appear what they will amount unto, or what the Pre-ingagements or Pre-dispostures by the Parliament may be, or what incumbrances of Debts, or limitations of Estates (as they were in the Hands of the Owners) may be upon the same; none of which we would be any occasion to defeat or avoid, so as to have the Curses and Grudges of defrauded Creditors or ruined Families to lye upon us or our Posterities.

3. Neither the one Security nor the other, are yet, for ought we find, or could well before the appointed times of disbanding, be so settled by Ordinance to the uses proposed (as the other Securities for Monies borrowed by the Parliament have been) which we conceive requisite to render the same indeed visible Security.

The two first of these Reasons we should not urge so much, if we did not see other matters of Security within the Kingdom, that would be much more clear, (as Cathedrals and their Revenues, Forrest Lands, *&c.*)

Fifthly, The Ordinance voted to exempt from Pressing, (first) is not, for ought we understand, brought in and passed before the appointed disbanding. Next, by the Vote it seems not to intend the exempting of Voluntier Horse-men from being prest for Foot-Service. And lastly, We under-

ſtand not how it can be effectual to particular Soldiers, (when diſperſt about the Kingdom, and ſojourning or travelliug, where perhaps their former relation to this Army, or Condition as Voluntiers in it may not be known, or not credited upon their Words) unleſs the Ordinance intended ſhall provide, That a Teſtimonial of their Service, under the General's, or their reſpective Field Officers or Captains Hands (which they might ever carry about or keep by them) ſhall be their ſufficient Diſcharge from any Preſs, (if they ſhall fall under it.) And whereas ſuch Teſtimonials cannot eaſily be got by them after disbanding, the ſaid Votes for ſo ſudden disbanding, and at ſuch Diſtances, do not mention or admit any thing of that kind more than Paſſes from the Commiſſioners to carry them home. 23 *Caroli.*

Sixthly, The Ordinance voted to give Apprentices the benefit of their Time ſpent in the Parliament's Service, as alſo that for the Maintenance of maimed Soldiers, and the Widows and Children of Men ſlain in the Service, were not brought in and paſſed before the appointed Disbandings, nor do we yet hear that they are, though we hope they will be.

Seventhly, The Ordinance paſſed for Indempnity, ſeems to make but ſlender Proviſion for our Quiet, Eaſe, or Safety, in relation to things done in the War as Soldiers.

1. Becauſe the things it provides for throughout the Ordinance, comprized only in theſe Terms, (*viz.*) *Things done by virtue of any Ordinance of Parliament, or for the Service and Benefit of the Parliament*; We conceive, that upon every Treſpaſs, or other thing done in the War (which we may be queſtioned for) it will be very chargeable and difficult either to derive a clear Authority for the ſame from the Ordinance of Parliament, or to bring Proofs ſufficient to make up ſuch a conſtructive Concluſion, as that it was for the Service and Benefit of the Parliament; eſpecially to do this ſo fully, as to meet with all the Evaſions and Eluſions of a ſubtle Lawyer,or to convince the Senſes of a Country Jury, whom we know not by what Rules or Meaſures they may go, in judging what was for the Service and Benefit of the Parliament, or what not; perhaps ſome of them may be of that mind, That it had been for the Service and Benefit of the Parliament to have had no War at all, or to have had fewer or no ſuch Garriſons or Forces as ſome of us have been engaged in. In Sum, We cannot think it ſafe to be left to the Senſe or Conſtruction of a Country Jury, concerning the Exigencies of War, or Duty of a Soldier, upon ſo doubtful an Iſſue: We ſhould rather think, that the old Iſſue, which, (as we underſtand) ancient Laws have provided for in ſuch caſes, (*viz.* whether the thing were done *tempore & loco belli*) was much more clear and ſure; and an Act or Ordinance of Oblivion for all Treſpaſſes, or other Things ſo done by Soldiers in this War, would be moſt ſafe and ſatisfactory.

2. That the Proviſion in the ſaid Ordinance now paſt for relief, by complaint to a Committee of Parliament at *London*, (which ſeems to be meant for ſaving of Charges to Poor Men) we doubt will prove a very remote help, and far more chargeable for a poor Soldier Impriſoned or Arreſted in the Country, than the former. And though we highly honour that Committee named in the Ordinance, (for the Major part of it) yet we confeſs we ſhall be ſorry that our relief (if it may otherwiſe be provided for) ſhould be the Occaſion of ſetting up more Arbitrary Courts than there are already, with ſo large a Power of Impriſoning any Free-men of *England*, as the Ordinance gives to that Committee; Let the Perſons intruſted appear at preſent never ſo juſt and faithful, or though all the Committee were as good Patriots, as we hold the Major part to be.

3. In the matter of Accompts we are wholly left (as before) to the mercy of the Committee for Accompts, and their Sub-Committees,whoſe Conſtitution (in moſt Counties) being at leaſt of Neuters, diſaffected to the War, and conſequently to the Soldiery, and whoſe vaſt and Arbitrary Power to vex, delay, fine and impriſon at their own Pleaſure or Judgment, any that they can bring within the Compaſs of Accomptants, and to proceed upon their own Judgment of the Default, to ſequeſter, ſell, and diſpoſe of his Eſtate, as upon a Commiſſion of Bankrupt (we confeſs) we tremble to think of, more than of any Enemy. And though we are as zealous as any to have all Men brought to any Accompt,for what may clearly be accounted for; (as Treaſurers, Keepers of Stores, Sequeſtrators, or ſuch like Accomptants)

An. 1647. yet we cannot but think it hard for us, or others the Parliament's Soldiers, to be required to so strict Accompts for all things received, taken, and used in the War, by our selves or any under our Command, (tho' but temporarily upon a part) for many of which things, neither we nor any other that minded the publick Service, and have been engaged in hazardous Services, where many have lost those Accompts they did keep, can give or could keep so strict Accompt, or for want of such Accompt, to be so cruelly vexed and prosecuted, even to utter undoing, as any Man that's accountable for any thing may be, and divers of the Parliament's most faithful and active Servants in our condition have been before our Eyes. And though we would not wish that any Soldiers or Officers, who have by Plunder or other Injury to the Country, abused the Name of the Parliament's Service, and converted any thing they have taken or received to their own private Benefit or Advantage, (more than for necessary Subsistence or Supplies) should go away with it, in being exempted from Accompt. Yet we cannot but think it reasonable and necessary, That for those many others that have not done so, but have employed all faithfully for the publick Service, such Provision should be made, as what Arms, Ammunition, Horses, Furniture, or other things received or taken by them, they could not keep or cannot give a clear and distinct Account for, it should be sufficient for their Discharge, if they make Oath, That they have not imbezzeled or wittingly converted to their privite Benefit any part thereof; more than what things or to what value they do or shall (for saving of their Oath) charge upon themselves in their Accompts.

We find another thing mainly necessary for our and other Mens Indempnity, (for which there is no Provision at all made in this Ordinance) *viz.* That all Acts of Councils, or Courts of War, either in Censure or Discharge of any Persons, for any Cause subject to their Judgment, and the Warrants of the General, or Chief Commander, for Execution or Remission of such Censures, may be valid and good, both as to the Justification of those that have been employed in Execution of such Censures, and also the full and final acquittal of the Persons so discharged or remitted.

Eighthly, Though those Officers of the Army at several times sent for, or sent up to attend the Parliament as Delinquents, have been indeed discharged, (for which we render our thanks, and acknowledge the Parliament's Justice in the discharge) yet for Men of such Credit and Integrity, to have their Names brought so highly into publick Question or Suspicion, and the Cause not known (which might make it imagined greater) to be kept long in attendance under that notion, and not obtain by their daily Solicitations to know their Accusers, or any Charge, and (for one of them) to be made a Prisoner, searched and sent up so far in a disgraceful manner, without Authority (against the Right both of a Soldier and Subject) and at last to be only dismist, (without any word of Vindication or Clearing) seems but a slender Reparation.

Ninthly, There hath yet been nothing declared by the Parliament (as in the Narration or Declaration of the Officers were desired) to clear us as to our Right of Petitioning, or to clear the sense and intention of the Parliament in their Order for suppressing the Petition, or the ground of their Censure in the Declaration against it: Though we think no Man can deny the Matter of the Petition to be just, and the Parliament's Proceedings since upon the Heads of it does imply as much. And if our Liberty of Petitioning for our Due be denied us now, and the attempting of it render'd such a Crime, (as by the said Order and Declaration appears to be, while the Ground or Intentions of them stands not explained otherwise) we cannot but expect the same or worse hereafter, not only to our selves (when being disbanded and dispersed, we shall have the like occasion to petition as private and single Men) but also to all the free-born People of the Land in the like case. And so this Precedent (if it stand good) would extend, in the consequence of it, to render all Soldiers under this Parliament the worst of Slaves, and all Subjects little better. And though there have been of late, in other Cases, too much dangerous Precedents of suppressing Petitions, and punishing or censuring the Petitioners, yet (we think) few or none so full and clear against all just Liberties as this in our Case, whose Petition was not, as many (that yet have been received with large Thanks) without any foundation in real Grievances or Dues, tending and serving merely to de-

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clare the Petitioners Opinions and Inclinations, in relation to matters of State, (then in tranſaction, or intended to be put on in the Parliament;) nor yet ſubject to any of thoſe Exceptions, which at other Petitions (ſeeming better grounded, more neceſſary or concerning than the former, and yet rejected) might be. But ours, not meddling with matters of State, with Proceedings of Parliament, or any Bodies Concernments but our own, tended but to obtain our particular Dues, (often promiſed, dearly and fully earned, long forborn,) and ſome of which (*viz.* the matter of Indempnity) we could not (without danger of utter Ruin) want after disbanding; and theſe but deſired in an humble and ſubmiſſive way, without any *Language* ſcandalous or offenſive, or any other particular Exception (for Matter or Form) that we have ever yet been told of, or could any way learn; ſo as though we are willing to believe the Parliament was miſ-informed, abuſed, or ſurpriſed in the buſineſſes, (as the Narrative doth expreſs) yet we cannot hitherto underſtand from whence ſuch Proceedings againſt ſuch a Petition, or againſt us for it, could ariſe; except (in thoſe that moved the Parliament thereunto) from ſome Principles of Malignants Envy or Diſlike againſt us the Petitioners, for the Things God hath done by us, carrying them (above all other Conſiderations of juſt or unjuſt, dangerous or ſafe) to this end as the greateſt good, that this Army muſt not paſs with that Reputation God hath given it; but muſt (upon any occaſion that could be catched hold on) have a Diſhonour put upon it, and by Diſcontents and Provocations be put into Diſtemper, ſo as to do ſomething that might render it odious, or bring a Blemiſh upon it.

Tenthly, The Declaration yet ſtanding in force, and nothing publiſhed by the Parliament to clear the Army from the Cenſure it thereby lies under, there remains *a brand of Ignominy upon this Army* to Poſterity. And thoſe Soldiers who have proceeded to act any thing in purſuance of their juſt Deſires in that Petition, or in repreſentation of their juſt Grievances thereupon; as alſo thoſe Officers that have any way concurred with, or countenanced, or not deſerted them therein, remain ſubject to Queſtion, and to the higheſt Cenſure that may be, for ſo doing.

Eleventhly, Were all other our Grievances duly conſidered, yet nothing be done to the diſcovery or cenſure of thoſe that have wronged the Army, and abuſed the Parliament, to the procuring of ſuch Proceedings againſt us, in relation to ſo juſt and innocent Petition, but that the ſame Perſons remain ſtill in the ſame Credit and Power; we appeal to all reaſonable Men, what hopes, either of Right or Safety, we, (when disbanded and diſperſed) or any private Man, can hereafter promiſe to himſelf in the like Caſe? Let every honeſt *Engliſh* Man lay his Hand on his Heart, weigh our Caſe, and make it his own, (as in conſequence it is) and then judge for us and himſelf.

1. We may confidently ſay, never any private Man had or can have any thing more clearly due to him, than what we went about to petition for, nor could ſeek it in a more regular, humble, or inoffenſive way, (as hath been ſhewed before.) Now for a private Man, petitioning for his Right in ſuch a way, to be denyed, or fail of his Right (in Courts where Corruption ſways) is perhaps not rare; yet for ſuch a Man to be debarred or interdicted beforehand from ſuing for his acknowledged Right, (we think) is not uſual in Courts ſufficiently corrupt. But not only to be denied his Right, and the Liberty to petition it, but withal by a Cenſure (no leſs than Capital) to be expoſed to a Forfeiture of Eſtate, Liberty, Life and all, but for going ſo to ask what he conceives, and the Court it ſelf will not deny to be his Due, and this without ever asking or hearing what he can ſay in his Excuſe, would carry ſo high a face of Injuſtice, Oppreſſion, and Tyranny, as we think is not eaſie to be exampled in the Proceedings of the moſt corrupt and arbitrary Courts, towards the meaneſt ſingle Man. Now if we have found Men of thoſe *deſperate Principles* and Confidence, to attempt, and in that Credit and Power to carry on ſuch Proceedings againſt an Army, (ſtanding then in full Strength, in Reputation, and ſome little Merit alſo) and to engage the Authority of Parliament therein, whoſe preſent Power hath, under God, been upheld and newly eſtabliſhed through that Army; What can we or any honeſt Man expect hereafter as private Perſons, if the ſame Men ſhall continue to be our Judges, or in the ſame Credit and Power, when we are disbanded,

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An. 1647. (as now) we say what good can be expected, or what ill may not be expected in any future Case, that shall cross the Pride, Passions, or Interests of such Men, of whose unjust Principles and desperately Tyrannical Spirits, we have in this Case had the most perfect taste that can be imagined, we have both here and before plainly remonstrated our Case in this particular, as it stands, appearing to those that understand not upon what grounds, and in what manner such things were carryed in the Parliament in relation to the Petition: We are still willing to believe the Parliament hath been some way strangely misinformed, surprized, or otherwise abused in the business (as was expressed before in that Narrative) We are still tender of the Parliament-Privileges, but we shall yet hope and desire, That the Wisdom of the Parliament would find how to disengage the Honour of the Parliament, from the desperate Practices of such Incendiaries, and cause them to be discovered and censured, so far as may secure the Parliament from being again so abused, and both us and the Kingdom from the like or worse Oppressions or Dangers by them (which is the utmost ill we wish them.) And if herein our belief or hopes from or concerning the Parliament do fail us, we shall be sorry; but yet the Case and Consequence is still as it is, or the more sad to us and the Kingdom. And having in this Particular expressed both the Case and Consequence very plainly, we leave it at the Parliament's door, until they shall be pleased to fix the blame on those particular Persons, that have abused them herein as before.

Twelfthly and *lastly*, We find nothing as yet done, or thought of for Reparation or Vindication of the Army, in reference to the many Scandals cast upon it, or to punish or discountenance the Authors and Publishers, though divers of them be sufficiently known.

A Solemn Engagement of the Army under the Command of his Excellency Sir Thomas Fairfax, *read, assented unto, and Subscribed by all Officers and Soldiers of the several Regiments, at the general Rendezvous near* New-Market, *on the* 5th *of* June, 1647.

Joyce *seised his Majesty the next Day after.*

WHereas upon the Petition intended and agreed upon in the Army in *March* last, to have been presented to the General for the obtaining of our due and necessary Concernments as Soldiers; the Honourable House of Commons being unseasonably prepossest with a Copy thereof, and (as by the sequel we suppose) with some strange Misrepresentations of the Carriage and Intention of the same, was induced to send down an Order for suppressing the Petition, and within two or three Days after, upon further Misinformation and scandalous Suggestions, of the like or worse Nature, and by the indirect Practices of some malicious and mischievous Persons (as we suppose) surprizing, or otherwise abusing the Parliament, A Declaration was published in the Name of both Houses, highly censuring the said Petition, and declaring the Petitioners, if they should proceed thereupon, no less than Enemies to the State, and Disturbers of the publick Peace; And whereas at the same time, and since, divers eminent Officers of the Army have been brought into Question and Trouble about the said Petition, whereby both they and the rest of the Officers were disabled, or discouraged for the time, from further acting or appearing therein on the Soldiers behalf; And whereas by the aforesaid Proceeedings and the Effects thereof, the Soldiers of this Army (finding themselves so stopt in their due and regular way of making known their just Grievances and Desires to and by their Officers) were enforced to an unusual (but in that Case necessary) way of Correspondence and Agreement amongst themselves, to chuse out of the several Troops and Companies several Men, and those out of their whole number, to chuse two or more for each Regiment, to act in the Name and Behalf of the whole Soldiery of the respective Regiments, Troops, and Companies, in the prosecution of their Rights and Desires in the said Petition, as also of their just Vindication, and writing in reference to the aforesaid Proceedings upon and against the same, who have accordingly acted and done many things to those ends, all which the Soldiers did then approve as their own Acts. And whereas afterwards (upon the sending down of Field Marshal *Skippon*, and those other Officers of the Army

my that were Members of the House of Commons, to quiet Distempers in the Army; fresh hopes being conceived of having our desires again admitted to be made known and considered in a regular way, and without such Misrepresentations as formerly, the Officers of the Army (except some few Dissenting Officers) did again joyn in a Representation of their common Grievances, and the Officers (except as before) did agree upon a Narrative Account of the Grounds, Rise, and Growth of the Discontents of the Army, and their Proceedings in relation thereunto, with an Overture of the best Expedients to remove or satisfie the same, both which were presented to the same Members of the House, and by them reported to the House; and whereas the Parliament having thereupon voted, and ordered some Particulars only towards satisfaction of our Grievances, hath since proceeded to certain Resolutions of sudden disbanding the Army by pieces, which Resolutions being taken, and to be executed before full and equal satisfaction be given to the whole Army in any of the Grievances, before effectual performance of that satisfaction in part which the preceding Votes seemed to promise as to some of the Grievances, and before any Consideration at all of some others most material (as by the result of a general Council of War on *Saturday*, *May* 29.) was in general declared, and is now more fully demonstrated in particular, by a Representation thereupon, and agreed unto by us: We all cannot but look upon the same Resolutions of disbanding us in such manner, as proceeding from the same Malicious and Mischievous Principles and Intentions, and from the like indirect Practices of the same Persons abusing the Parliament, and is as the former Proceedings against us beforementioned did, and not without Carnal and Bloody Purposes (for some of them have not stuck to declare or intimate after the Body of the Army should be disbanded, or the Soldiers divided from their Officers: Then to question, proceed against, and execute their malicious Intentions, upon all such particular Officers and Soldiers in the Army, as had appeared to act in the Premises in the behalf of the Army; and whereas upon a late Petition to the General from the Agitants, in behalf of the Soldiers (grounded upon the preceding Considerations) relating to the same Resolutions of disbanding, the same general Council of War, to prevent the danger and inconveniences of those Disturbings, or tumultuous Actings, or Confluences, which the Dissatisfaction and Jealousie, thereupon also grounded, were like suddenly to have produced in the Army, to advise the General first to contract the Quarters of the Army, and then to draw the same to an orderly Rendezvous for satisfaction of all, and that his Excellency would immediately send up to move and desire the Parliament to suspend any present proceeding upon the said Resolution of disbanding, to resume the Consideration of the Grievances and Desires sent up from the Army, and not to disband it in pieces, before just and equal satisfaction be given to the whole; And whereas some of the Regiments appointed for disbanding, upon notice thereof, withdrawing themselves from the Quarters adjacent to the appointed Rendezvous, and drawing towards the Head Quarters; and the contracting their Quarters according to the said advice of the Council of War.

We the Officers and Soldiers of several Regiments hereafter named, are now met at a general Rendezvous, and the Regiments appointed as aforesaid to be disbanded, have not appeared, nor can appear; but are resolved not to appear at the respective and several Rendezvous, appointed as aforesaid for their disbanding, and divers other things have been done by several other Parties or Members of the Army, necessarily relating to the good and concernment of the whole in these Affairs: Now forasmuch as we know not how far the Malice, Injustice, and Tyrannical Principles of our Enemies, that have already prevailed so far to abuse the Parliament, and the Army (as is aforementioned) in the past Proceedings against the Army, may further prevail to the danger and prejudice of our selves, or any Officers or Soldiers of the Army, or other Persons that have appeared to act any thing in behalf of the Army; or how far the same may further prevail to the danger and prejudice of the Kingdom, in raising a new War or otherwise: Therefore for the better prevention of all such dangers, prejudices, or other inconveniences that may ensue, and withal for better satisfaction to the Parliament and Kingdom concerning our desires of conforming to the

An. 1647. the Authority of the one, and providing the good and quiet of the other in the present Affairs of disbanding; and for a more assured way whereby these Affairs may come to a certain issue (to which purpose we herein humbly implore the present and continued assistance of God, the Righteous Judge of all) We the Officers and Soldiers of the Army subscribing hereunto, do hereby declare, agree, and promise to and with each other, and to and with the Parliament and Kingdom as followeth.

1. That we shall chearfully and readily disband, when thereunto required by the Parliament, or else shall many of us be willing (if desired) to engage in further Services either in *England* or *Ireland*, having first such satisfaction to the Army in relation to our Grievances and Desires heretofore presented, and such Security, That we of our selves (when disbanded, and in the Condition of private Men) or other the free-born People of *England* (to whom the consequence of our Case doth equally extend) shall not remain subject to the like Oppression, Injury, or Abuse, as in the Premises have been attempted and put upon us while an Army, by the same Mens continuance in the same Credit and Power (especially if as our Judges) who have in these past Proceedings against the Army, so far prevailed to abuse the Parliament and us, and to endanger the Kingdom; and also such Security that we our selves, or any Member of this Army, or others, who have appeared to act any thing in behalf of the Army, in relation to the Premises before recited, shall not after disbanding be any way questioned, prosecuted, troubled, or prejudiced for any thing so acted; or for the entering into, or necessary Prosecution of this necessary Agreement; (we say) having first such Satisfaction and Security in these things, as shall be agreed unto by a Council, to consist of those General Officers of the Army (who have concurred with the Army in the Premises) with two Commission Officers, and two Soldiers to be chosen for each Regiment, who have concurred and shall concur with us in the Premises, and in this Agreement; and by the major part of such of them, who shall meet in Council for that purpose, when they shall be thereunto called by the General.

That without such Satisfaction and Security as aforesaid, we shall not willingly disband, nor divide, nor suffer our selves to be disbanded or divided.

2. And whereas we find many strange things suggested or suspected to our great prejudice, concerning dangerous Principles, Interests, and Designs in this Army, as to the overthrow of Magistracy, the suppression or hindering of Presbytery, the Establishment of Independent Government, or upholding of a general Licentiousness in Religion, under pretence of Liberty of Conscience, and many such things; We shall very shortly tender to the Parliament a Vindication of the Army from all such Scandals, to clear our Principles in relation thereunto, and in the mean time we do disallow and disclaim all purposes or designs in our late or present Proceedings, to advance or insist upon any such Interest; neither would we (if we might and could) advance or set up any other particular Party or Interest in the Kingdom (tho' imagined never so much our own) but shall much rather (as far as may be within our Sphere or Power) study to promote such an Establishment of common and equal Right and Freedom to the whole, as all might equally partake of, but those that do, by denying the same to others, or otherwise, render themselves incapable thereof.

A true

A true Impartial Narration, concerning the Armies Preservation of the King: By which it doth appear, that the Army doth intend the Good Life, Property and Liberty of all the Commons of England.

FEllow-Commoners, considering with our selves how variously those Men will report, that endeavour to carry on their Designs, though it be to the Ruin and Destruction of others, who are their Fellow-Commoners, and have as just a Right and Property to the Liberties and Freedoms of the Nation as themselves. And considering also how Misinformation may seduce you, and draw you away from the knowing of things in their true unmixt Nature, and consequently from acting and walking accordingly, so that not only our selves may be drawn by such Misrepresentations of things, into inexpressible, extraordinary Sadnesses, Miseries, and Calamities; but also you into perpetual irrecoverable Servitude and Bondage, even in a Moment of time, before you or we are aware of. And also considering, that certain of the House of Commons, have sold the Record of *Magna Charta* (which doth demonstrate the Subjects Rights, Liberties, and Properties) for 10000 *l.* so that it might never be used again, as we can (we hope) evidently prove; so that by it you may see their Design. Therefore we (who have fought for you in the sight of the Sun, and for your Liberties and Properties as well as our own; and have been faithful to you in the apprehensions of all rational Men, and those that will not lie against their own Souls, or walk contrary to the Testimony of their own Consciences) cannot chuse but with reciprocal Tenderness present unto you truly, briefly, and clearly, without partiality, the Nature of the business concerning the King's Majesty and us at *Holdenby*, *June* 4, 1647.

On *Wednesday* Cornet *Joyce* went to the Bowling-Green, where his Majesty was at Bowls within a Mile of *Holdenby*; the cause of the Cornet's being there, was to prevent the King's being conveyed away in a secret manner, which was justly suspected to be done by some that were with his Majesty. Cornet *Joyce*, an appointed Agent by the Army, observing a sudden alteration, in perswading the King to go to my Lord *Spencer*'s to Bowls, when the King had resolved before to go two Miles further; and at the King's taking Horse, Colonel *Graves* and a *Scottish* Lord whispered, and were more than ordinary earnest in their privacy, which did occasion jealousie at that opportunity; after the King had been at Bowls one Hour, *Graves* questioned a Soldier, and asked him from whence he came; the Soldier's Answer was, from *Oxford*, and that he had been lately with the Army. Then *Graves* asked if the Army was not contented with the Ordinance of Indempnity, and the Votes of Parliament. The Soldier answered no, and that it would in no way secure them; and gave *Graves* a Reason: because many of their Fellow Soldiers, and those that had acted for the Parliament, were molested notwithstanding it; and what a sad thing will it be to consider, that the Soldiery shall taste of the Parliament's Judges Cruelty, notwithstanding their good Services, and the preserving of the Heads of some Men in the Parliament: And therefore judge how much below the light of Nature these Men live, and how much they exercise themselves in Tyranny, when they will not do good unto those that do good unto them. Then *Graves* asked him more News, and said, he need not be afraid; but he said, he was not afraid of him, or any Man in the Kingdom, for he had done nothing that he knew of to make him afraid; and he further said, he would deal ingeniously with him, and tell him the truth of any thing he should ask him. Then *Graves* asked, if he did not hear of a Party of Horse, he answered he did more than hear of a Party, for he saw them the Day before within 30 Miles of *Holdenby*: This made *Graves* tremble, as if he had been guilty of something he had done or intended to do; otherwise why should he afterwards, and the *Scottish* Lord his Confederate, have run away, when no Man intended to do them the least hurt in the World. But the *Scottish* Lord went to *London*, and hath notoriously wronged the King, and the Party also that did secure his Majesty's Person for the Peace and Safety of the Kingdom, as was declared at large before a thousand Witnesses; so

An. 1647. that by it you may see the design of a cunning *Scott*, and what such will do to get Money and Honour, even against King and People.

Further for the Security of the King's Person, the Party marched towards *Holdenby*, and when they came to the House, the Commissioners sent one Captain *Middleton* to know of us what we came for, and what we would have, and who commanded? Answer was made him, *All commanded.* Then Captain *Middleton* replyed, If you have any thing to do here, the Commissioners would know what it is, and desired they would send in to the Commissioners one or more to certifie what was the Intent of coming thither. Whereupon Cornet *Joyce*, by unanimous Consent of the Party, went in to the Commissioners, and told them the truth of their coming thither, which was to secure his Majesty's Person, and to protect them; there being a secret design, as they were informed, to convey or steal away the King, and to raise another Army to suppress this under his Excellency Sir *Thomas Fairfax*: Likewise he said, he knew no other way to keep this Kingdom from Blood, or another War, but by the present Security of the King's Person, and that he may be no more miss-led; and if he were, that the Kingdom was utterly undone for ever. If this be all, said the Commissioners, it is well done.

But after it, Cornet *Joyce* spake more to the Commissioners, and told them, he did humbly conceive that there were some who did delay Justice, and seek only to disband the Army, who were raised for the defence of the just Rights, Properties, and Liberties of the Subject, and the bringing of all unjust Men to condign Punishment, such who did endeavour to subvert the fundamental Laws of the Kingdom: And he said he did believe, that there were some who did endeavour to pull down King and People, and to set up themselves; and who they were, the Commissioners and the World may judge and see by their Actions.

Whereupon he took his leave of the Commissioners for a while, lest the King should be disturbed in his Bed-Chamber. Then Major General *Brown* went to the King, and did assure his Majesty of the truth of the business, and desired his Majesty not to be troubled, for no hurt should come unto him, for they were all civil Gentlemen; and his Majesty should find it so. After this was done, the Cornet went to the Commissioners again, and desired them to give him Orders, he being willing to obey them, because they were appointed by the Parliament to be there to that end. Then Major General *Brown* said, Come again by and by, and we will give you Orders; in the mean time set your Guards, and place your Sentinels; which Direction of his we followed, and told him and the rest of the Commissioners, if they would give us Orders, I would obey them, provided they were just, and for the Security of the King's Person. All this being done, it grew towards Noon. After that, Cornet *Joyce* desired the Soldiers to mount to Horse, and told them they should all go to Quarters; at which word of Command all was done: And the said Cornet was to give in a relation to the Commissioners of his Coming, and the Grounds in writing, and did; but, because of the multiplicity of business, could not give it in that form as otherwise he might, if he had time.

All this being done, all was quiet in the said present Security of his Majesty, until Tidings came that *Graves* was gone quite away; and thereupon it was supposed he was (and thought himself also) guilty, or else he would have stayed, but none could tell what was become of him; and some of his damming Blades did say and swear, they would fetch a Party; which Party could not be from the Army, but must be from some other place. And therefore to prevent Disturbance and Blood, and for the Peace-sake of the Kingdom, all declared unanimously, that they thought it most convenient to secure the King in another place, from Persons as could cunningly or desperately take him away contrary to Order; which was endeavoured very earnestly (as we are informed) by some that are Enemies to the Peace of the Kingdom, and the Prosperity of the Army.

But another cause of Jealousie was, not knowing the Resolutions of those who quartered Soldiers, and pretended for *Ireland*.

And further to give all satisfaction to the whole Kingdom, and to the real effecting of a business of such Concernment, the Soldiers sent Cornet *Joyce* to the Commissioners at ten of the Clock at Night, who desired the Commissioners to let the King know he would speak with him: Some of the Commissi-

Commiſſioners being unwilling, held the Cornet in diſcourſe about half an Hour, until the King was aſleep in his Bed; yet notwithſtanding the ſaid Cornet could not be contented till he had ſpoken with the King, it being the only way and means to prevent Trouble for the future, and Blood that might come upon the face of the Kingdom; and therefore the ſaid Cornet judged it in his own Conſcience requiſite to ſpeak with him at that Opportunity, and therefore he offered the Commiſſioners to go with them with as much gentleneſs and tenderneſs as he could, to tell his Majeſty ſomething for his and his Kingdom's good; which was to take him from thence, there being a ſecret deſign to ſteal and convey away his Majeſty's Perſon, to ſide with ſome who pretend Juſtice, and deceive the Kingdom, and obſtruct the Relief of poor diſtreſſed *Ireland*; intending to break the Army in pieces now under the Command of Sir *Thomas Fairfax* our General, and to raiſe another Army to carry on their Deſign, and that all rational Men may ſee it by the Actions of ſome Men, (as *Stappleton*, *Glynne*, *Greene*, *Erle*, and others) who ſaid, *It's now come to that, that they muſt ſink us, or we ſink them.* But more was ſpoken by the ſaid Cornet, but this in brief. I was willing to let all paſs without giving a Relation, until I heard that the *Scottiſh* Lord had falſly told the Parliament of our Proceedings with the King, who ſaw or heard it not; for he was not within a Mile of the Court, when all theſe forementioned Paſſages were: For the *Scottiſh* Lord, as we are informed, reported that the King was taken away againſt his Will. For although the King told Cornet *Joyce* before the Commiſſioners, he was unwilling to go with us, yet he ſaid, That ſuch Reaſons might be produced that might prevail with him, and then he did proteſt nothing ſhould ſtay him, but he would go whether the Commiſſioners would yea or no. And Reaſons were given accordingly, which did prevail with his Majeſty to promiſe to go the next Morning, and he gave a Confirmation of his willingneſs, by ſaying to the Cornet, He ſhould be the more willing to go, if the Cornet would promiſe him ſome things which he ſhould propound. The Cornet ſaid he would, if they were juſt and warrantable in his Underſtanding, and deſired his Majeſty that he might hear the things. Then his Majeſty ſpake before the Commiſſioners, and ſaid, Mr. *Joyce*, I have this to propound unto you. May it pleaſe your Majeſty, I am willing to hear, ſaid Cornet *Joyce*, but am ſorry I have diſturbed you out of your Sleep; but the King ſaid, No matter, if you mean me no hurt; and then ſpake, *viz.* If you will promiſe me that I ſhall have no hurt, ſaying, you may take away my Life if you will, having the Sword in your Hands. This Anſwer the Cornet made, That the Parliament had declared to preſerve his Majeſty's Perſon, and that they being the Parliament's Army, ſhould not but endeavour the ſame; only they did deſire to ſecure him from being taken away, leſt he ſhould be at the Head of another Army, and ſo this Kingdom involved into danger. And all this was ſaid in anſwer to his Majeſty's firſt Propoſition.

The ſecond was, That he would not be forced to any thing againſt his Conſcience by us. He anſwered, That he would be unwilling to force any Man againſt his Conſcience, much leſs his Majeſty; and alſo ſaid, That he hoped he was ſenſible of thoſe that did endeavour to force Men againſt their Conſciences, and yet delayed to do Juſtice or ſettle the Kingdom, for which they were ſent; and did endeavour to disband or break this Army in pieces, who ſought nothing but Juſtice, as will appear hereafter to all the World. Pray God it may, ſaid the King.

Obſerve, None will oppoſe this Army but guilty Conſciences, and they will fly in our Faces, or raiſe an Army againſt us. Saith the Marginal Note.

Thirdly, He demanded whether yea or no he ſhould have his Servants with him, and whether he ſhould be provided for like a Man in his Place; and that he had been courteouſly uſed by thoſe Commiſſioners that were with him, as ever he was by any. The Cornet anſwered, That he ſhould endeavour as far as in him lay, to ſhew him all juſt and due reſpect; and that he might be no otherwiſe attended on than before, the Cornet deſired the Commiſſioners of Parliament to go with the King, and diſcharge that Truſt impoſed on them, and the Soldiery ſhould aſſiſt them ſo long as they were juſt and honeſt. Then ſaid the King, I will willingly go along with you, if the Soldiery will confirm what you have promiſed me; the King believing I had ſaid nothing but what they would ſtand to. All this being ſpoken at ten a Clock or eleven at Night: And when the King had done propounding theſe Queſtions to the Cornet, he gave his word to be ready

An. 1647. by ſix the next Morning, to hear if the Soldiers would confirm what I had promiſed, and if they would, he would willingly go with us; for it was ſo bad an Air, that he could never be ſo well as he had been, and if he were once gone, he would be unwilling to come back again to that Place any more: Many other Reaſons he had which he gave not. According to his Promiſe he came in the Morning at ſix of the Clock, where he found all the Soldiers ready mounted to march with him; but before he would march, he deſired to ſpeak the ſame things to the Soldiers, which he ſpake over-night to the Cornet, to ſee if they would confirm what he ſaid and had promiſed; which they did with one conſent: And before the Soldiers the King was pleaſed to ask the Cornet, what Commiſſion he had to ſecure his Perſon? Then ſaid the Cornet, If the Parliament had ever made an Order that the Army ſhould not have ſecured the King's Perſon, he ſhould not have dared to do what he had done; but he being informed his Majeſty was to be conveyed away, which, if not prevented, might have cauſed another War, and involved the whole Kingdom in Blood again; this was the only cauſe of our ſecuring the King's Perſon. This Anſwer did not ſatisfie the King; but he asked what Commiſſion I had for doing that I did? I told his Majeſty, the Soldiery of the Army; or elſe I ſhould not have dared to have done what I have; and conceiving it to be the only way to bring Peace to *England*, and Juſtice with Mercy, which is the thing which all honeſt Men will deſire, and none will hinder but ſome guilty Conſciences, who by their Will ſeek to deſtroy both King and People, to ſet up themſelves. Yet the King was not ſatisfied with this, but asked, Whether I had nothing in Writing from Sir *Thomas Fairfax* our General, to do what I did? The Cornet deſired the King he would not ask him ſuch Queſtions, for he did conceive he had ſufficiently anſwered him before. Then ſaid the King, I pray Mr. *Joyce* deal ingeniouſly with me, and tell me what Commiſſion you have? The Cornet's Anſwer was, Here is my Commiſſion. Where, ſaid the King? He anſwered, Here. His Majeſty again asked, Where? He anſwered, Behind me; pointing to the Soldiers that were mounted; and deſired his Majeſty that that might ſatisfie him. Whereupon the King ſmiled, and ſaid, It is as fair a Commiſſion, and as well written as he had ſeen a Commiſſion written in his life; a Company of handſom proper Gentlemen as he had ſeen a great while. But what if I ſhou'd refuſe yet to go with you, I hope you would not force me? I am your King, and you ought not to lay violent Hands on your King; for I acknowledge none to be above me here, but God. Then ſaid Mr. *Joyce*, Our Deſires are not to force your Majeſty, but have humbly intreated your Majeſty to go with us, and not only your ſelf but the Commiſſioners, and to this end, that the Commiſſioners might diſcharge that Truſt impoſed on them as honeſt Members of Parliament. Then ſpake one of the Commiſſioners of Parliament, and ſhewed us a Paper; what was therein we ſaw not. They all ſpake to us in order, the laſt that ſpake, as I remember, was Major General *Brown*, who ſaid the Commiſſioners had an Order of Parliament to look to the King at *Holdenby*; and if he had Strength we ſhould have had his Life, before we ſhould have brought the King away. Indeed, ſaid the Cornet, you ſpeak like a faithful and gallant Man; but he knew well enough he had not Strength, and therefore he ſpake ſo boldly. Major General *Brown* ſaid further, But ſince it is ſo, I muſt do what you will have me, being not able to reſiſt you. Then ſpake Cornet *Joyce* further, We came not to have the Blood of any Man, but for Peace; and did hope ſhould manifeſt it to all the World, for he ſought Peace with all Men as much as in him lieth; and further ſaid, They were Servants to the Parliament and Kingdom, and had ſerved them faithfully ever ſince the beginning of this War, or elſe more Heads had been cut off before this time: And if the Soldiers had been ordered not to ſecure his Majeſty, they would not have dared to have done it, becauſe they were Servants to the State, as well as the Commiſſioners; they did what they did to keep the Kingdom from Blood and a ſecond War, which if not prevented, might unhappily have come upon us ſuddenly; as you may ſee is the Endeavour of ſome Men, who pretend to be the King's and Kingdom's beſt Friends. After this the King was going away, but turned and ſaid, Now, Gentlemen, for the place you intend to have me to? Mr. *Joyce* anſwered, If it pleaſe your Majeſty, to *Oxford*.

The King replyed, That is no good Air.

Mr. *Joyce* said, Then to *Cambridge*.

The King did not like that, but said he liked *New-market*; it was an Air that did very well agree with him.

And it was granted by Mr. *Joyce* he should go thither.

Then the King asked Mr. *Joyce*, how far he intended to ride that Night?

And Mr. *Joyce* answered, As far as your Majesty can conveniently ride.

The King smiling, said, I can ride as far as you, or any Man there. But he concluded to talk of that, and his Accommodation, privately; and so he courteously took his leave of the Company, and was going, and one whispered him, and he turned back, and heard the Commissioners speak to the Company thus in order. First my Lord *Mountague* spake, and said, Gentlemen, we are intrusted by both Houses, (shewing in his Hand a Paper, the Authority they had) and desire to know, whether all the Party do agree to what Mr. *Joyce* hath said?

And they cryed, All, All.

And he having spoke low, Sir *John Cooke* seconded him with a loud Voice, and added, That as the Parliament had intrusted them, had he but Forces to withstand the Party, he would have done it with his Life. And Mr. *Crew* said the same.

And Major *Brown* spake last to the same purpose, but added something more than the rest: Saying, it was not the first time that he had been at the Head of a Party, and that they knew not the Law; and he durst affirm that scarce two in the Company, although they cryed All, All, knew what the Gentleman had delivered to the King. And therefore he said with a loud Voice; all that are willing the King shall stay with us, the Commissioners of Parliament, let them speak. And all the Party cryed, None, none. Then said he, I have done. Only the Soldiers said, We understand well enough what we do. Now let all the World judge what is done, and who is in fault, and who they are that seek War, and no Peace nor Justice.

One Word more, Fellow-Commoners. Dear Friends and Fellow-Commoners, We the Soldiery under his Excellency Sir *Thomas Fairfax*, do desire to speak one Word to you all, that so you may see and know our very Hearts, so far as we know them our selves: And that our earnest Desires are for Peace in this our native Land and Kingdom, and being more sensible than many thousands are, how destructive another War will be, if not our utter Ruin and Undoing. The Words we shall speak to you are, to prevent War, and to find out those that have of late sent that *Scottish* Lord, who went from *Holdenby* to *London*, and from thence into *France*; and another *Scotch* Lord into *Scotland*, all this to bring another Army into *England*; and we shall be able to make it appear to you hereafter, who are the chief Actors therein.

Dear Friends and Fellow-Commoners, let us not be like to those who have set their Hands to the Plough and look back; but let it appear to all the World we are against another War, and for Peace, Mercy, and Justice, without delay. Now look about you, and be not deluded any longer, lest the *Scots* sell the King for more Money, and others oppress the Kingdom, and put the Kingdom's Treasure into their own Pockets, or send it out of our Kingdom, as if they were preparing to go after, for fear they should be found out. This we speak, that so you may have a Care of this glorious Kingdom; your Shipping being now in those Mens Hands who have done you most wrong, and if not looked after by you, may suddenly let in a foreign Enemy to over-run you all, and ravish your Wives, and roast your Children alive, as those bloody-minded Men in *Ireland* have done; and this will be our case if you awake not suddenly. I have done, a Word to the Wise is sufficient, and rest,

Yours and the Kingdom's Faithful Servant 'till Death, for England's *Liberty against Tyranny*, &c.

Die

An. 1647.

Die Sabbati, June 5, 1647.

IT is this Day ordered, upon the Queſtion, by the Commons aſſembled in Parliament, That all the Members of the Houſe be hereby enjoyned forthwith to attend the Service of the Houſe, notwithſtanding any former particular Leave or Order to be abſent.

It is further ordered, That this Order be forthwith printed; and that the Knights and Burgeſſes of the ſeveral Counties and Places, do forthwith ſend this Order to the particular and reſpective Sheriffs, requiring them to give particular Notice of this Order to the reſpective Members within their ſeveral Counties.

Votes of the Lords and Commons aſſembled in Parliament, for the disbanding and Payment of Sir *Thomas Fairfax* his Army. Ordered by the Lords and Commons aſſembled in Parliament, That the Common Soldiers, both of Horſe and Foot, of Sir *Thomas Fairfax* his Army, ſhall have their full Pay upon their disbanding or engaging for *Ireland*; deducting for free Quarter, according to the Courſe and Rules of the Army.

Ordered by the Lords and Commons aſſembled in Parliament, That the Officers of this Army not in Commiſſion, ſhall likewiſe have their full Pay upon their disbanding or engaging for *Ireland*; deducting for free Quarter, according to the Courſe and Rules of the Army.

Ordered by the Lords and Commons aſſembled in Parliament, that there ſhall be an Addition of a Month's Pay, to the Commiſſioned Officers of Sir *Thomas Fairfax* his Army, both Horſe and Foot, that ſhall either disband or engage in the Service of *Ireland*.

Ordered by the Lords and Commons aſſembled in Parliament, That the Declaration, bearing Date the 30*th* of *March*, 1647. ſhall be expunged out of the Journal of both Houſes. The ſaid Declaration was accordingly expunged.

Ordered by the Commons aſſembled in Parliament, That this Ordinance, and Votes, be forthwith printed and publiſhed.

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ADDITIONAL ORDINANCE

FOR

The *more full Indempnity* of the *Officers* and *Soldiers*, who have acted by Authority, and for the Service of the Parliament.

Forasmuch as in the times of this late War and publick Distractions, there have been many Injuries done to private Persons, and other Offences committed by private Persons bearing Arms in the Service of the Parliament; The Lords and Commons in Parliament Assembled, taking into their Consideration, That it is expedient that the Injuries and Offences aforesaid be pardoned, and put in Oblivion, rather than by pretence of Prosecution against some few Persons, a great number of such who have faithfully served the Parliament, be brought into a continual Vexation for such Actions, as the Exigence of War hath necessitated them unto; Do therefore Ordain, and be it Ordained by the said Lords and Commons, That all Persons who have committed any Offences, Trespasses, Injuries, or other Misdemeanours whatsoever, during such time as they have been employed in Arms, by or for the Service of the Parliament, be, is, and are hereby Discharged and Pardoned of the same, and of and from all Prosecution or Dammages therefore, at the Suit of the King or the Party grieved; and may, in case he or they be questioned therefore, plead the general Issues, and give this Ordinance in Evidence, which shall be allowed to all intents and purposes, as if the same were pleaded in Bar. And in case any shall prosecute any Action or Suit contrary to the Tenor of this Ordinance, against any Person hereby Discharged, after notice given that such Persons are hereby Discharged, The Defendant or Defendants, so prosecuted, shall recover his and their Cost against such Prosecutor.

Provided also, That this Ordinance, or any thing herein contained, shall not extend to discharge any such Person or Persons as aforesaid, from making their true and just Accompts to any Committee or Committees of Parliament, appointed or to be appointed for that purpose, of what they have taken, received, or had for the Service or Benefit of the Parliament.

To

An. 1647.

To the Right Honourable, Excellent, Worthy, and Pious Sir Thomas Fairfax, *General over those Forces raised in behalf of the Countries Rights and Liberties.*

The Petition of the well-affected in the County of *Essex.*

Humbly Sheweth,

THAT your Petitioners being not a little sensible of those growing Evils, which are like to over-spread this Kingdom, unless the Mercy of God prevent (which after so much exhausting our Estates, loss of Lives, Engagements of our Persons to regain this poor Nation to an Enjoyment of its Rights and Liberties) and yet like to flow upon us by those which have been our open Enemies, or else a Party of pretended Friends, insomuch that your poor Petitioners, and all the well-affected in the Country, have just cause to fear; that after we have, by the Blessing of the Almighty upon this Army, been rescued from many Oppressions which lay heavy upon us, We are now like to be Vassalaged and enslaved in the *Norman* Laws, and Prerogative Clutches of an Ambitious Party in the Nation.

And likewise taking into Consideration, That there is no *Remora* to stop the Proceedings of violent Men against us, but this present Army under your Honourable Conduct, whose constant Fidelity and faithful Resolutions, together with the Blessing from above, have hitherto abashed the Enemies of our Peace and Safety, and gained the favour of all those who are the true Friends to a free Nation.

These things, Right Honourable, sinking deep into our Spirits, we thought it meet and convenient to represent our Thoughts unto you; And so much the rather, in regard the Petitions of the free-born Nation have been rejected by those which we have intrusted for the receiving them, yea, Ordered to be burnt by the Hands of the Common Hang-man; insomuch, that we have no where else to appeal but unto your Excellency, from whom, under God, we expect some redress of our Miseries. Our humble Desires to your Excellency therefore are,

First, That before you disband the Army, you would be pleased to consider the sad Condition which is like to befal the free-born People of *England*, and likewise our present Vassalage we groan under.

Secondly, That you would be pleased to mediate with the Parliament in our behalf, and to use all such means which you in your Honourable Wisdom shall think convenient, to settle Affairs in a fair and peaceable way, so that all that Renown which Providence hath hitherto crowned your Endeavours withal, may not now at last be blasted with the Intentions and crafty Machinations of yours and the Kingdom's Enemies.

Thirdly, That your Excellency would be pleased in no case to admit of disbanding, till such time as you see these and the Kingdom's just and legal Requests imbraced. If thus, Right Honourable, God shall draw forth your Heart to act for us, we shall for ever engage our selves your Servants in the Vindication of your just Proceedings, and ever pray for your Honourable Safety.

This Petition was presented to his Excellency at the Rendezvous of the Army at Triploe-Heath *near* Royston, *with the Subscription of above a Thousand of the Inhabitants.*

Die Lunæ, June 7, 1647.

VOTES of the Commons in Parliament.

Ordered (upon the Question) by the Commons Assembled, That no Person that hath been in actual War against this Parliament, shall be admitted to sit as a Member in this Parliament.

Monday,

Fol. 545 *Follows.*

CHAP. XV.

Proceedings *in Parliament from* June 3, *to* July 5, 1647.

Monday, June 7, 1647.

THE Letter aforesaid, from his Excellency, was this Day read again and debated in both Houses (informing briefly) that

The General's Letter in brief concerning the King's coming to the Army.

'On *Saturday*, being *June* the 5*th*, at a Rendezvous near *Newmarket*, with 'intent to go and quarter about *Cambridge*, he got knowledge, that the 'Soldiers at *Holmby* had, on *Friday*, brought His Majesty thence by consent; 'and that He lay at *Henching-Brook*, near *Huntington*, at the House of Colo-'nel *Montague* (a Member of the House of Commons, and of the Army.) 'The Night following lay there also, and would be at *Newmarket* the 'next Day: And that the ground of the Soldiers removing His Majesty 'was, from an Apprehension of Forces gathering to fall upon them, and 'force the King out of their hands; and fearing their want of Strength to 'keep him (not knowing Colonel *Whalley* was coming towards the King 'with his Regiment) they secured the King. The General sent Colonel '*Whalley* towards *Huntington*, with Order, that where-ever he met His Ma-'jesty and the Commissioners, to desire them to come no further that way, 'but rather to return, and suffer him to guard them back to *Holmby*: Af-'ter which, for prevention of Danger, two Regiments more were sent to-'wards Evening, to reinforce Colonel *Whalley*. Colonel *Whalley* certified 'the General, That His Majesty was come within four Miles of *Cam-'bridge*, and not willing to come to *Holmby*, Quarter was taken up for 'him at Sir *John Cuts*'s House at *Childersey*. Upon this notice, the Ge-'neral sent Sir *Hardress Waller*, and Colonel *Lambert*, to desire the Com-'missioners to think of returning to *Holmby*; but the Commissioners re-'fused to act in disposing the King. This being the Truth, the Gene-'ral professes for himself, and is confident for the Officers about him, and 'the body of the Army, that this Remove was without their Desire or 'Privity.

The Commissioners refuse to act in disposing the King.

'The King not willing to go back, and the Commissioners unwilling to 'meddle, a Guard of trusty Men are put about His Majesty, under the 'Command of Colonel *Whalley*, for which the General will be responsible, 'that they shall secure His Majesty's Person from Danger, and prevent any 'Mischief by a new War, and protests it is his Desire, and he finds the 'same in the Army, *viz.* to study to settle a firm Peace, and the Liberties 'of the People cleared and secured, according to the many Declarations by 'which they were engaged in the late War: And the Parliament's speedy 'and effectual Application to these, would conduce to a chearful unani-'mous Disbanding; and whatever may be suggested or suspected, yet he 'assures, the Sense of the Army is clear from opposing Presbytery, or to 'have the Independent Government set up, or to hold a Licentiousness in 'Religion, or to advance any particular Party or Interest, but to leave all 'such to the Wisdom of the Parliament.

To secure the King to prevent a new War.

That the Army is cle r from siding with any Party, Presbyterian or Independent.

The Commons debated this Business of the Army, and at last a-greed, that new Commissioners should be sent down to the Army, to acquaint them what the Houses had done further, in satisfaction of their Grievances, and to perswade them to a compliance with the Orders of Parliament; and Instructions were ordered to be drawn up to this purpose: In all which the Lords also concurred, and the Commissioners were dispatched away this Afternoon. The Com-missioners are these, *viz.* the Earl of *Nottingham*, Lord *Delaware*,

New Commissioners sent to the Army.

An. 1647.

Sir *Henry Vane*, Junior, Field Marſhal General *Skippon*, Mr. *Scowen*, Mr. *Povey*.

Mr. *Marſhal* and Mr. *Carryll* are diſcharged of their Attendance upon His Majeſty and Commiſſioners.

A Faſt appointed for both Houſes only.

Some Debate there was about a Faſt for the Members of Parliament only; and accordingly it was ordered by the Commons, that their Houſe ſet apart next *Wedneſday* for a Day of Humiliation, That God would be pleaſed to give them one Heart and one Mind in carrying on the great Work of the Lord: And Mr. *Marſhal*, Mr. *Strong*, and Mr. *Whitaker*, are appointed to pray and preach with them in their own Houſe. The Lords likewiſe joined with the Commons in obſerving this Faſt, and appointed other Miniſters to preach before their Lordſhips in their Houſe.

A Petition from the City, delivered by Sheriff Edmunds, *which follows at large.*

June 8, 1647. A Petition from the Lord-Mayor, Aldermen, and Common-Council of *London* was brought down to the Houſe of Commons this Day; and the Houſe being informed thereof, and that the Sheriffs of the City of *London*, divers Aldermen, and other Citizens of *London*, were at the Doors, they were called in, and Sheriff *Edmunds* acquainted the Houſe, that they were commanded by the Lord-Mayor, Court of Aldermen, and Common-Council, to deliver a Petition to the Houſe; the which, the Petitioners being withdrawn, was read, and likewiſe a printed Ordinance annexed of *Jan.* 17, 1645. for the raiſing of Horſe for the Defence of the City of *London*, and for ſearching and apprehending of Papiſts, and other ill-affected Perſons.

The Petition is as follows, *viz.*

To the Honourable the Houſe of Commons aſſembled in High Court of Parliament.

The humble Petition of the Lord Mayor, Aldermen, and Commons of the City of *London* in Common-Council aſſembled.

June 8, 1647. *A Petition from the City for the raiſing of Horſe to prevent ſhedding of Blood.*

Humbly ſheweth,

THat as your Petitioners acknowledge the Parliament of *England* to be the ſupreme Judicature of the Kingdom, from whom the Subjects of this Nation have found Shelter in Danger, and Relief in Diſtreſs; ſo now your Petitioners having (with the whole Kingdom) a great Share and Intereſt in theſe Privileges, do therefore at this time humbly, yet earneſtly, preſent theſe their important Deſires to this Honourable Houſe.

Firſt, That all honourable ways and means may be uſed to prevent the further effuſion and ſhedding of Chriſtian Blood; and to that end, that all juſt Satisfaction may be given to the Army, and all other Soldiers who have adventured their Lives for the Defence of this Parliament and Kingdom. That though the condition of your Affairs do not enable you to give full Satisfaction at preſent, yet that their Accompts may be adjuſted and put into a certain way of Payment, to the quieting of many thouſand diſcontented Perſons, which we humbly conceive will be much to the Glory of God, the Honour of the Parliament, and Quiet of the Kingdom.

Secondly, That according to our Allegiance, the Covenant and Agreement of both Nations, His Majeſty's Royal Perſon may be preſerved, and ſo diſpoſed of, that the Parliament of both Kingdoms may have free Acceſs unto him, that thereby a right Underſtanding may be obtained between them: And this tottering Church and Kingdom, after all our Fears, Sorrows, and Sufferings, may enjoy the Bleſſing of a well-grounded and long deſired Peace, whereby this Kingdom may be the better enabled to ſend ſpeedy Relief and Help to miſerable bleeding *Ireland*.

Thirdly, That for the better Defence and Security of the Parliament and City in theſe tumultuous and troubleſome Times, this Honourable Houſe will

will be pleaſed to renew ſo much of an Ordinance of Parliament of the 17*th* of *January*, 1645. as concerneth the raiſing, maintaining, and ordering of Horſes, and Power of making Searches (a Copy whereof is hereunto annexed) whereby the Committee of the Militia of *London*, and Pariſhes mentioned in the Weekly Bills of Mortality, may be the better enabled to ſuppreſs all tumultuous Aſſemblies, and to prevent any Dangers that may happen to the Parliament and City. 22 *Caroli* I.

And as this City, from the beginning of theſe Troubles, hath faithfully adhered to the Parliament, ſo we are reſolved, by the Bleſſing of God, never to deſert the ſame, but with the utmoſt of our Lives and Eſtates will ſtand and fall, live and die with the Parliament of *England*, according to our *Covenant*.

And the Petitioners ſhall pray, &c.

The Houſe debated this Petition, and voted, That an Ordinance be brought in on *Thurſday* Morning next, according to the Deſires of the Petitioners, and it is referred to Mr. Recorder, Mr. *Grimſtone*, Mr. *Gott*, and Mr. *Hill*, or any two of them, to prepare and bring in this Ordinance accordingly; and care of the Buſineſs is more particularly referred to Mr. *Gott*. The Petitioners were again called in, and Mr. Speaker, by the Command of the Houſe, expreſſed to them the true Senſe that Houſe had of their conſtant good Affections for this Parliament, and that no Alteration whatſoever can work any Change in their Duty and Love; for which he is to give them the hearties Thanks from this Houſe. *Ordinance to that effect.*

That he was further commanded to take notice of the Lord-Mayor's, and the Committee of Militia's, ready compliance with the Order of that Houſe in ſo ſeaſonably ſending down a very good Guard, for which he was likewiſe to return Thanks to the Lord-Mayor, and the Committee of the Militia, who are very ſenſible of the tumultuous and diſtempered Humours that are now ſtirred; and therefore doubts not but of themſelves (to whom they do refer it) they will take care that ſuch convenient Guards may be appointed to attend the Houſes, as may preſerve them from any diſturbance or interruption in their Counſels: As to the Requeſt of the Petitioners, touching an Ordinance to the Purpoſes therein mentioned, they have done ſomething in it, and have put it into a way for further Conſideration at their Meeting. *Thanks returned to the City, for ſending a good Guard to the Parliament*

This Day the Declaration paſſed both Houſes for making void the former Declaration of the 30*th* of *March*, concerning the Army, which take at large as follows.

Die Martis, 8 Junii, 1647.

A Declaration of the Lords and Commons aſſembled in Parliament, for making void *a* former Declaration *of the 30th of* March, *concerning the Army.*

Whereas the Lords and Commons did, by a Declaration of the 30*th* of *March* laſt, declare their Senſe upon a Petition, with the Repreſentation thereunto annexed: And whereas they have been ſince informed, That the Petitioners intended not thereby to give any Offence to the Parliament; and calling to mind the great and eminent Service done by the Army to the Parliament and Kingdom, the Lords and Commons being tender of the Honour of the ſaid Army, have thought fit to ordain and declare, and be it declared and ordained by the ſaid Lords and Commons in the Parliament of *England* aſſembled, and by the Authority of the ſame, That the ſaid former Declaration of the 30*th* of *March*, be razed and expunged out of the Books of the ſaid Houſes, and wholly taken away and made void; June 8.

An. 1647. void; and that no Member of the said Army shall receive any Damage, Prejudice, or Reproach for any thing in the said former Declaration.

Ordered by the Commons assembled in Parliament, that this Declaration be forthwith printed and published.

For Recreation of Scholars, Apprentices, and Servants.

The Houses this Day passed an Ordinance for Recreation of Scholars, Apprentices, and Servants; which take at large as follows.

Die Martis, Junii 8, 1647.

Festivals called Holy-Days be no longer observed. June 8. *Ordinance of Recreation.*

FOrasmuch as the Feasts of the *Nativity of Christ*, *Easter*, and *Whitsontide*, and other Festivals *commonly called Holy Days*, have been heretofore superstitiously used and observed, Be it ordained by the Lords and Commons in Parliament assembled, That the said Feasts of the *Nativity of Christ*, *Easter*, and *Whitsontide*, and all other Festival-Days, commonly called *Holy-Days*, *be no longer observed* as Festivals or Holy-Days within this Kingdom of *England*, and Dominion of *Wales*, any Law, Statute, Custom, or Canon to the contrary in any wise notwithstanding: And to the end that there may be a convenient time alotted to Scholars, Apprentices, and other Servants, for their Recreation, Be it ordained by the Authority aforesaid, That all Scholars, Apprentices, and other Servants, shall, with the leave and approbation of their Masters respectively first had and obtained, have such convenient reasonable Recreation and Relaxation from their constant and ordinary Labours, on every second *Tuesday* in the Month throughout the Year, as formerly they used to have on such aforesaid Festivals commonly called *Holy-Days*. And that Masters of all Scholars, Apprentices, and Servants, shall grant unto them respectively such time for their Recreations, on the aforesaid second *Tuesday* in every Month, as they may conveniently spare from their extraordinary and necessary Services and Occasions. And it is further ordained by the said Lords and Commons, that if any Difference shall arise between any Master and Servant concerning the Liberty hereby granted, the next Justice of the Peace shall have Power to order and reconcile the same.

Ordered by the Lords assembled in Parliament, That this Ordinance be forthwith printed and published.

Reformado Officers and Soldiers Address for Arrears.

A strange Address was made to the House of Commons by Reformado's and common Soldiers within the Line, who block'd up the House of Commons Door about two Hours, refusing to let any Member pass until the House had granted them all their Arrears.

They ordered their Accompts to be audited by Auditor *Wilcox*, Auditor *Board*, and another.

Moneys ordered for them.

That 10000 *l.* more shall be added to the former 10000 *l.* to be advanced upon the same Security of the Moiety of the Compositions at *Goldsmiths-Hall.*

States Ambassador.

The House ordered that several Members of the House be sent to the States Ambassador, and to excuse all Mistakes, or what else, at his going away, and to desire the Unity and Affection of the two Nations.

That 300 *l.* was to be paid out of the Revenue, to defray the Charges of the Commissioners that are to go down to the Army.

Mr. Thomas Goodwyn.

That Mr. *Thomas Goodwyn* be desired to go down to preach before the Commissioners.

A Guard for the Parliament.

That the Militia be desired to send down a Regiment to attend the House to Morrow.

That

That 10000 *l.* should be paid out of *Weavers-Hall* to the Committee of *Ireland*, to be disposed as that Committee shall think fit, for the Payment of the Forces in *Ireland*.

Ireland.

That the Forces quartered at *Newport-Pagnel*, *Eversham*, and *Cambden*, that have deserted the Army, be quartered at *Worcester*.

June 10, 1647. This Morning at a Council of War it was judged inconvenient, and scarce possible, to draw to morrow early enough to dispatch any thing; therefore it is appointed on *Thursday* Morning at Nine of the Clock; and in regard of His Majesty's going to *Newmarket*; it was thought fit by the Council of War, that the place of Rendezvous might be altered from *Newmarket-Heath* to *Triploe-Heath*, five Miles from *Cambridge*. And this in brief was the Substance of the Intelligence.

Passages between the King, the General, and his Officers.

There came Letters also this Day to the House, from the Commissioners with the King; and also a Narrative of the Passages betwixt His Majesty and his Excellency Sir *Thomas Fairfax*, and the Commissioners, *June* 7. at *Childerley*; the Sum whereof briefly thus, *viz.*

The General, Lieutenant General *Cromwel*, Commissary General *Ireton*, Lieutenant General *Hammond*, and divers other Officers of the Army, went to the Lady *Cuts*'s House (according to His Majesty's desire, being *June* 7.) When they came there the King went into the Garden, and the General and his Officers and Commissioners went together, and conferred upon the whole carriage of the business. The Commissioners seem'd to be much unsatisfied: Whereupon the King coming up again, the General and the Commissioners came to him, and also Cornet *Joyce* (who was the Man that managed that Action of securing the King) was called before them all: the King charged them all, saying, 'That *Joyce* said he had the Commission of 'the whole Army for what he did, and by consequence had the General's; 'he being the principal part of the Army. The Cornet replied, and did avow, 'That he told His Majesty that he had not the General's Commission, 'when the King did particularly demand of him: Whereupon the King publickly said to the whole Company, 'That it was true indeed, he did say so; 'and it was likewise true, all the Gentlemen that were mounted on Horseback did cry out, giving their approbation to what he had said; but, saith 'the King, I was notwithstanding perswaded, that he could not venture to 'attempt such a thing as to bring me away, for it was Treason, but that 'he had the countenance of greater Persons. Then it was much pressed by some of the Commissioners against Cornet *Joyce*, that he deserv'd to lose his Head for what he had done in bringing the King and the Commissioners away, without their consent. Whereupon Cornet *Joyce* replied, 'May it 'please your Majesty, as to the Armies warranting my Proceedings, let it 'be drawn to a Rendezvous, let me appear there before them, and let the 'Question be put, whether they approve of my Action in removing His 'Majesty from *Holmby*, if three or four Parts of the Army do not approve 'what I have said, I will be content to be hanged at the Head of the Army. He further added, 'That the King gave His consent to come, and said, 'He would go whether the Commissioners would or no. Yea, said the King and the Commissioners, 'You told us, that we should go, and it was 'in vain for us not to consent. But, said the King, (*Joyce*, though it be 'great Treason in what you have done) yet I will pardon it now I am 'come: I had the promise of those Gentlemen to be conveyed to *Newmarket*, and therefore I expect to go to Morrow to *Newmarket*. Whereupon, after some other Discourse, the General promised he should go. Upon which, His Majesty prepared for *Newmarket*, and the General went to *Cambridge*: And accordingly after His Excellency came back to *Cambridge*, he sent Colonel *Whalley* (after some debate with the Officers) to guard His Majesty and the Commissioners to *Newmarket*; and accordingly, His Majesty (*June* 8.) went from *Childerley*, but not through *Cambridge*, but by *Trumpington*,

Cornet Joyce *before the King.*

Passages between the King and Cornet Joyce.

The King goes to Newmarket

The General to Cambridge

An. 1647.

pington. For ſome Reaſons there was much Preparations for his Majeſty, by ſtrewing the Streets, cutting down of Boughs, and preparing for Bonfires.

The Rendezvous of the Army is appointed to be this Day at *Triploe-Heath*, and not at *Newmarket-Heath*, by reaſon of the King's being there.

The Faſt kept.

Wedneſday, *June* 9, 1647. This Day both the Lords and Commons kept a ſolemn Faſt in their Houſes, and appointed Mr. *Arrowſmith*, Mr. *Palmer*, Mr. *Vines*, and Mr. *Herle*, to pray and preach in the Houſe of Peers, and Mr. *Marſhal*, Mr. *Whitacre*, and Mr. *Strong*, in the Houſe of Commons.

City petition to the Lords.

Thurſday, being *June* 10, 1647. The Common-Council of *London* preſented their Petition to the Lords, the ſame they did *Tueſday* before to the Commons, and had Thanks. And their Lordſhips ordered to take it into ſpeedy Conſideration, not doubting but that would be done, which will give Satisfaction. Their Lordſhips choſe a Committee of Lords to conſider of all the Grievances of this Kingdom, and preſent them to the Houſe.

A Conference for Arrears to Officers in the Earl of Eſſex's *Time.*

The Lords ordered to deſire a Conference with the Commons, to conſider of a way for the Payment of ſuch Officers as have ſerved the Parliament formerly, when the Earl of *Eſſex* was General, and that have ſince freely and willingly disbanded, upon the Orders of the Houſe, without care taken for their Arrears; for want whereof divers Officers have periſhed, not having ſufficient Subſiſtance.

Country Committees.

Their Lordſhips alſo ordered to put the Commons in mind of a former Meſſage for the putting down of Country Committees.

Self-denying Ordinance maintained.

The Houſe alſo this Day re-aſſumed the Debate of the Self-denying Ordinance, and paſſed ſeveral Votes, to this purpoſe, *viz.*

That *Firſt*, Such Members as having any Office, Place, or Sequeſtration granted to them by one or both Houſes of Parliament, to be void.

Self-denying Members to refund.

Secondly, That the Benefit ſuch Members have received, the ſame being the firſt Vote for this Self-denying Ordinance, be paid into the Chamber of *London*, and diſpoſed as both Houſes ſhall appoint, for the Uſe of the Common-wealth.

That ſuch Members be referred to the Committee of Accompts, to account for what Benefit they have received.

That the Lands and other Eſtates of all Members of the Houſe, be liable to the Law for Payment of Debts.

That all Petitions and Informations that ſhall be preferred againſt Members of the Houſe, for any Cauſe whatſoever, be ready on *Tueſday* next.

They to receive no Reparation till Publick Debts be ſatiſfied.

That no Member ſhall hereafter receive any Reparation for Damages by theſe Times, till the publick Debts of the Kingdom be ſatisfied.

Another Letter of the General's, of His Majeſty's going to New-market, *which is the ſame in effect as before.*

This Day another Letter from his Excellency Sir *Thomas Fairfax*, dated from *Cambridge*, *June* 8. was read, the purport is as follows, *viz.*

Mr. Speaker,

I N my laſt I promiſed to ſend you by the next, an Account of the Proceedings and Reſolutions of the Army at the late Rendezvous. I have ſent you the ſame in two Papers, unanimouſly agreed upon there by both Officers and Soldiers. I find in one of them divers things with your later Proceedings, ſince the Reſolution of Diſbanding, may have given Satiſfaction unto. But the Army having then no Knowledge thereof, it was thus paſſed, and delivered to me, and I cannot but ſend it to them:

them: You may see what they then did remain unsatisfied in. Understanding that His Majesty, and your Commissioners were much straitened and discommoded in the House at Childersey, *I went thither Yesterday to advise with your Commissioners about the disposal of His Majesty, for more Conveniency to himself and them, than that Place did afford: The Commissioners were pleased wholly to refuse giving of any Advice or Opinion at all in the Business; and therefore the King declaring His Resolution not to go back to* Holmby, *unless he were forced; yet complaining much of the Inconveniency he suffered where he was, and pressing for a Remove to* Newmarket, *and your Commissioners not judging it inconvenient for him to be there, I ordered Colonel* Whalley *this Day to attend His Majesty and the Commissioners thither with a trusty and sufficient Guard of two Regiments of Horse, which accordingly was this Day done, and His Majesty, with the Commissioners, gone to* Newmarket, *but not through* Cambridge. *This Business taking up the whole time Yesterday, and it being necessary His Majesty should be disposed of before the place of Rendezvous could well be resolved on, this Morning, at a Council of War, it was judged inconvenient, and scarce possible to draw to a Rendezvous to Morrow, early enough to dispatch any thing; therefore it is appointed on* Thursday *Morning at Nine of the Clock; and in regard of His Majesty's going to* Newmarket, *it was thought fit by the Council of War, that the place of Rendezvous might be altered from* Newmarket-Heath *to* Triploe-Heath, *five Miles from this Town. I shall take care that your Commissioners, if they come to* Newmarket, *may have notice of this Alteration from the former Appointment. I remain,*

Cambridge, June 8, 1647. Your most humble Servant,

T. Fairfax.

For the Honourable Will. Lenthall, *Esq;*
Speaker of the House of Commons.

The Commons had some Debate about joining with the Lords in removing His Majesty to *Oatlands*, and it was resolved in the Negative. Oatlands.

A fuller or additional Act of Indempnity was past for the Soldiers of the Army, to save them harmless, by an Act of Oblivion and Pardon, for all things done in the time of this War. *Indempnity to* Soldiers.

The Lords this Day received some *Scotch* Papers about the Earl of *Dumferling*'s desiring leave to go into *France*; to which their Lordships concurred. *Earl of* Dumferling.

The Lords ordered, That the Committee at *Derby-House* do take care to secure the Houses of Parliament; and the Lieutenant of the *Tower* to be careful who he lets pass to the Prisoners. *A Guard for the Parliament*

Ordered (upon the Question) by the Commons assembled in Parliament, That no Person that hath been in actual War against the Parliament, or hath acted by the Commission of Array, or voluntarily, either directly or indirectly aided the King in this War against the Parliament, shall presume to sit in this House. *No Member aiding the King, &c. to sit in the House.*

Resolved, *&c.*

That this Vote concerning Members, and the former Vote concerning Members to be elected of *Primo Septemb.* 1645. be forthwith printed together, and sent into the several Counties. *The Votes for Members elected* Sep. 1. 1645 *to be printed and sent into several Counties.*

Ordered, by the Commons assembled in Parliament, That these Orders be forthwith printed and published.

Royston, June 10, 1647. This Day Captain *Hall*, Capt. of the Life-Guard to the General, and Mr. *Richard Ward*, Mr. *Francis Hart*, Mr. *John Hodges*, Mr. *Arthur Bury*, Mr. *James Gouge*, Mr. *Joseph Garrat*, Mr. *John Philips*, Mr. *Peter Bland*, and Mr. *Richard Goddard* (all of the Life-Guard) deserted the Troop, and received Passes for *London*. *Some of the Life-Guard desert the Troop.*

The

An. 1647.

Counties of Norfolk *and* Suffolk *against Disbanding.*

The ſame Day another Petition from many of the Inhabitants of *Norfolk* and *Suffolk*, was preſented to the General at *Royſton*, deſiring him not to disband until the general Grievances be redreſt, and Juſtice done, *&c.* The Army advanced this Day nearer *London*, the Head-Quarters to be at St. *Albans*.

Die Veneris, 11 *June*, 1647.

Ordinance paſſed for the Militia to raiſe Horſe.

An Ordinance of the Lords and Commons aſſembled in Parliament, for the enabling of the Committee of the Militia *of the City of* London, *to make Searches and raiſe Horſes.*

The Ordinance follows here.

THE Lords and Commons aſſembled in Parliament, do hereby declare and ordain, That the Committee of the Militia of *London* ſhall have Power, and are hereby authorized by themſelves, or ſuch as they ſhall appoint, to ſearch all Houſes and Places within the Lines of Communication, and Pariſhes mentioned within the Weekly Bills of Mortality, and Hamlets of the *Tower*, where the ſaid Committee ſhall have cauſe to ſuſpect, that any Papiſts are, or other Perſons, who cannot give a good Account of their Buſineſs or Abode within the Limits aforeſaid; or who have, or ſhall diſcover their ill Affection to the Parliament, by any Offence for which they ought to be ſequeſtred or puniſhed by any Ordinance of Parliament; and likewiſe to ſearch for Arms, Ammunition, and Materials for War, in the Cuſtody of ſuch Perſons, and to ſeize and take away the ſame; and to commit ſuch Perſon to ſafe Cuſtody, or to expel them out of the Limits aforeſaid, if they ſhall ſee cauſe: And in caſe of Reſiſtance to command any Conſtable or Conſtables to break open any Houſe or Place within the ſaid Limits, where any Reſiſtance ſhall be made. And it is further declared and ordained, That the ſaid Committee ſhall hereby have Power and Authority to charge ſuch Inhabitants who are conſtantly dwelling within the Lines of Communication, and Pariſhes mentioned in the Weekly Bills of Mortality, and Hamlets of the *Tower*, or ſuch Perſons who have any Stocks going in Trade within the Limits aforeſaid, and abſent themſelves (as ſhall appear to them to be able) to find and maintain Horſes, with Riders, and Furniture, at their proper Charge, for the Defence of the City and Parts adjacent (ſo as no Perſon ſhall be charged for the raiſing and maintaining more than two Horſes) to be put under ſuch Commanders and Officers as the ſaid Committee ſhall think fit. And if any Perſon or Perſons, who ſhall be charged to find Horſes, Riders, and Furniture, as is aforeſaid, and ſhall refuſe or neglect to provide the ſame, within three Days after notice thereof given to them, or left in Writing at their Dwellings, ſhall forfeit and pay 20 *l.* And if they ſhall neglect or refuſe to ſend forth their Horſe or Horſes, with Riders, provided and furniſhed as is aforeſaid, when, and as often as he or they ſhall be ſummoned thereunto by the ſaid Committee, or ſuch Commanders or Officers as they ſhall appoint, in default thereof, that then they ſhall forfeit and pay 10 *s.* for every ſuch failing, or ſuffer four Day's Impriſonment, without Bail or Mainpriſe, to be inflicted upon every ſuch Offender, in ſuch Manner and Form, and by ſuch Officers and Perſons as are appointed for the inflicting of Penalties upon failing of the Foot-Soldiers of the Trained-Bands, expreſſed in an Ordinance dated the ſecond Day of *May*, *Anno Dom.* 1643. and the ſaid Fines to be employed by the ſaid Committee toward the payment of the Commanders and Officers of the ſaid Horſe, and for ſuch other Uſes as the ſaid Committee ſhall find neceſſary for the better carrying on the ſaid Service. And be it hereby further declared and ordained, that for the better executing this preſent Ordinance, and ſuch former Ordinances, which are now in force concerning the Militia of the City of *London*, and the Places aforeſaid, Power and Authority be hereby given to the ſaid Committee, to make one or more Sub-Committee, or Sub-Committees, within the ſaid Limits, as they ſhall think fit, for the executing this, and the ſaid former Ordinances. And all Conſtables, Headboroughs, and other inferiour Officers within the ſaid Limits; and all Commanders

manders and Soldiers of the said Militia are hereby required to obey and execute such Warrants as they from time to time shall receive from the said Committee, or Sub-Committees, for and concerning the Execution of the same accordingly.

And lastly, That no privileged Place or Person, within the Limits aforesaid, shall be exempted from the Power of this Ordinance, except the Peers of this Realm, and the Members of the House of Commons, and Assistants of the House of Peers, and Officers and Attendants of both Houses of Parliament respectively, who shall be exempted from this Ordinance, and all things therein contained, Provided that this Ordinance shall continue for a Month, and no longer.

John Browne, Cler. Parl.

Die Veneris, 11 *June*, 1647.

June 11. Excise of Flesh taken off.

ORdered by the Lords and Commons assembled in Parliament, That the Excise of Flesh be taken off, from and after the 24*th* Day of this Instant *June*, and that from and after the said Day the said Excise cease, and be no longer paid.

John Browne, Cler. Parl.

Die Veneris, 11 *June*, 1647.

Excise of Salt taken off.

ORdered by the Lords and Commons assembled in Parliament, That the Excise of Salt made in this Kingdom be taken off, from and after the 24*th* Day of this Instant *June*; and that from and after the said Day the said Excise cease and be no more paid.

John Browne, Cler. Parliamentorum.

A Committee of Lords and Commons to join with the Militia in the arming all Persons within the Line of Communication.

The House this Day ordered, that a Committee of both Houses should be appointed to join with the Committee of the Militia of *London*, to advise and consult concerning the arming of all (within the City of *London*, *Westminster*, and Lines of Communication, for the Safety of the Parliament and City) as there shall be occasion. The House was informed, that divers Gentlemen were at the Door, to give Intelligence to the House of some things concerning the Army, they were called in; and their Names were Colonel *Sands*, Colonel *Wiltshire*, Colonel *Devereux*, and others, and acquainting the House, that meeting with a Major, that lately came from the Army, he acquainted them, that the Army was upon their Advance, and the Horse at least-wise would be here to Morrow at Twelve a Clock; and told them, that if they would go to Morrow to the Army, they should be included in the Capitulation with the Army for their Arrears. Hereupon they ordered, that this Major be sent for in safe Custody.

Information of the Armies advance.

The Committee of Safety revived.

The Committee of Safety was ordered to be revived, and act this Night for the Safety of the Kingdom.

The Sheriffs and Common-Council this Evening came down to the House, and acquainted them with a Letter sent from the Army to them.

A Committee of Parliament sat with the Committee of the Militia all Night.

The House debated hereupon, and a Committee of both Houses were ordered to go down to the Militia of *London* about the same, which they did accordingly, and sate with the Militia in Debate hereof all this Night till Morning. The House of Commons likewise sate very late this Night upon the Business of the Army; and it was ordered, That Letters be sent to His Excellency from both Houses, to desire that the Army might not come within Twenty five Miles of the City.

An. 1647.

To the Right Honourable the Lord-Mayor, Aldermen, and Common-Council of the City of London.

Right Honourable and Worthy Friends,

The General's Letter to the Lord-Mayor.

Having by our Letters, and other Addresses, presented by our General to the Honourable House of Commons, endeavoured to give Satisfaction of the Clearness of our just Demands: And also in Papers published by us, remonstrated the Grounds of our Proceedings in prosecution thereof: All which having been exposed to publick View, we are confident have come to your hands, and at least received a charitable Construction from you: The sum of all which our Desires, as Soldiers, are no other, than a desire of Satisfaction to our Demands, as Soldiers; and Reparation upon those who have, to the utmost, improved all Opportunities and Advantages, by false Suggestions, Misrepresentations, and otherwise, for the Destruction of this Army, with a perpetual blot of Ignominy upon it, which we should not value, if it singly concerned our own Particulars, being ready to deny our selves in this, as we have done in other Cases for the Kingdom's Good; but under this pretence finding no less involved in it, than the Overthrow of the Privileges both of Parliament and People, wherein rather than they shall fail in their Designs, or we not receive in the Eyes of all good Men what is just, endeavoureth to engage the Kingdom in a new War, and this singly, by those who when the truth of these things shall be made to appear, will be found the Authors of these Evils that are feared, as having no other way to protect themselves from Question and Punishment, but by putting the Kingdom into Blood, under pretences of the Honour of, and their Love to the Parliament; as if that were dearer to them than us; or as if they had given greater Proof of their Faithfulness to it than we. But we perceive, that under these Veils and Pretences they seek to interest their Design in the City of London, *as if that City ought to make good their Miscarriages, and should prefer a few self-seeking Men before the Welfare of the Publick; and indeed we have found these Men so active to accomplish their Designs, and to have such apt Instruments for their turn in that City, that we have cause to suspect they may engage many therein, upon Mistakes, which are easily swallowed in times of such prejudice against them, that have given (we may speak it without Vanity) the most publick Testimony of their good Affections to the Publick, and to that City in particular.*

For the thing we insist upon as Englishmen, *and surely our being Soldiers hath not stript us of that Interest, although our malicious Enemies would have it so: We desire a Settlement of the Peace of the Kingdom, and of the Liberties of the Subject, according to the Votes and Declarations of Parliament, which, before we took up Arms, were (by the Parliament) used as Arguments and Inducements to invite us, and divers of our dear Friends out; some of which have lost their Lives in this War; which being by God's Blessing finished, we think we have as much Right to demand, and desire to see a happy Settlement, as we have to our Money, and the other common Interest of Soldiers, which we have insisted upon. We find also the ingenious and honest People in almost all the Parts of the Kingdom where we come full of the Sense of Ruin and Misery, if the Army should be disbanded, before the Peace of the Kingdom, and those other things before mentioned, have a full and perfect Settlement.*

We have said before, and profess it now, We desire no Alteration of the Civil Government.

We desire not to intermeddle with, or in the least to interrupt the settling of the Presbyterian Government. Nor do we seek to open a way to licentious Liberty, under pretence of obtaining Ease for tender Consciences. We profess as ever in these things, when the State have once made a Settlement, we have nothing to say but to submit or suffer; only we could wish, that every good Citizen, and every Man that walks peaceably in a blameless Conversation, and is beneficial to the Commonwealth, may have Liberty and Encouragement; it being according to the just Policy of all States, even to Justice it self.

These, in brief, are our Desires, and the things for which we stand, beyond which we shall not go; and for the obtaining of these things we are drawing near your City; professing sincerely from our Hearts, we intend no Evil towards you, declaring with all Confidence and Assurance, that if you appear not against us in these our just Desires, to assist that wicked Party, that would embroil us and the Kingdom, not we nor our Soldiers shall give you the least Offence: We come not to do any Act

to prejudice the being of Parliaments, or to the hurt of this, in order to the present Settlement of the Kingdom; We seek the good of all, and we shall here wait or remove to a farther distance, there to abide, if once we be assured that a speedy settlement of Things be in Hand, until they be accomplished; which done, we shall be most ready, either all of us, or so many of the Army as the Parliament shall think fit, to disband, or go for Ireland; *and although you may suppose that a rich City may seem an inticing Bait to poor hungry Soldiers to venture far to gain the Wealth thereof, yet, if not provoked by you, we do profess, rather than any such evil should fall out, the Soldiers shall make their way through our Blood to effect it; and we can say this for most of them, for your better assurance, that they so little value their Pay, in comparison of higher Concernments to a publick Good, that rather than they will be unrighted in the matter of their Honesty and Integrity, which hath suffered by the Men they aim at, and desire Justice upon, or want the settlement of the Kingdom's Peace, and theirs, with their Fellow Subjects Liberties, they will lose all; which may be a strong assurance to you, that it's not your Wealth they seek, but the Things tending in common to your and their Welfare, that they may attain: You shall do like Fellow-Subjects and Brethren, if that you solicite the Parliament for them on their behalf.*

If after all this, you, or a considerable part of you, be seduced to take up Arms in opposition to, or hindrance of these our just Undertakings, we hope, by this Brotherly Premonition, to the sincerity whereof we call God to Witness, we have freed our selves from all that Ruin which may befal that great and populous City, having thereby washed our Hands thereof. We rest,

Your affectionate Friends to serve you,

Royston, June 10, 1647.	*Tho. Fairfax.*	*Fra. Ireton.*
	Oliv. Cromwel.	*Rob. Lilburne.*
	Rob. Hammond.	*John Desborow.*
	Tho. Hammond.	*Th. Rainsborow.*
	Hardress Waller.	*Lambert.*
	Nath. Rich.	*Harrison.*
	Tho. Pride.	

The House of Commons sate very late this Night upon the business of the Army; and it was ordered that Letters be sent to his Excellency from both Houses, to desire that the Army might not come within Twenty five Miles of the City.

That the Army advance not within 25 Miles of London.

Die Veneris, 11 June, 1647.

ORdered by the Lords and Commons assembled in Parliament, That all such Officers or Soldiers, as shall come off, and conform to the Votes sent down to the Army, shall receive the Benefit and Advantage of those Votes.

John Brown, Cler. Parliamentorum.

Die Veneris, June 11, 1647.

Reward to Soldiers coming off from the Army.

ORdered by the Lords and Commons assembled in Parliament, That the Sum of 10000 *l.* be paid upon Accompt, by Alderman *Bunce*, and the rest of the Treasurers at *Weavers Hall*, to such Person or Persons as the Committee for the Affairs of *Ireland* at *Derby-House*, and the Committee of the Army, joined as to this business, or any Six of them, shall appoint to receive the same, and issued by Order and Direction of the said Committee so joined, or any Six of them, for the Payment of such Officers or Soldiers as shall come off from the Army, according to the Votes sent last to the Army, touching such as disband or engage for the Service of *Ireland*, being such of the Army as were mustered the last Muster, before the Votes passed both Houses for disbanding; and that the Acquittance of the Person or Persons appointed by the Committee so joined as aforesaid, or any Six of them, to receive the said 10000 *l.* shall be a sufficient Discharge to the said Treasurers at *Weavers-Hall*, for the Payment of the said Sum of 10000 *l.* accordingly.

John Brown, Cler. Parliamentorum.

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The Army kept a Fast at Cambridge.

From the Army we had further Intelligence, by Letters, to this purpose, *viz.*

Wednesday last there was a Fast kept in St. *Mary*'s in *Cambridge*, to desire a Blessing upon the present Affairs of the Kingdom. There preached before his Excellency Dr. *Hill*, Mr. *Saltmarsh*, Mr. *Peters*, and Mr. *Seaman*; Providence so ordered it, that they all pitched upon one point, *The Reconciliation of things in Love:* They performed their Duties with much Zeal and Affection. The Commissioners came that Evening to *Cambridge*, the General went and waited on them; they communicated to him and his Officers the Votes of both Houses, desiring his Advice for the communicating of them to the Army.

The Army drawing to a Rendezvous.

Thursday Morning the General and his Officers met, and agreed upon the Way; and accordingly that Afternoon, the Army being drawn up to a Rendezvous, upon a plain Ground within Four Miles of *Royston*, the Commissioners and the General first riding round the Army, which indeed was a very gallant Body both of Horse and Foot; yet there were Five Regiments of Foot, and 1400 Horse absent: They began first with the General's Regiment of Horse, to whom the Votes were read: Then Major General *Skippon* made a short Speech to the Regiment, moving, that the Votes might take a deep Impression upon them for the Advantage of the Kingdom. Then an Officer of the Regiment returned this Answer, 'That the 'Regiment did desire, that there might be an Answer returned, 'after the perusal of the Votes, by some select Officers and Agitators, whom the Regiment had chosen; and that it was the Motion of the Regiment.'

The Votes read unto them.

Select Officers return Answer.

The Officers desired the General and the Commissioners to give leave to ask the whole Regiment, if this were their Answer? To which the whole Regiment cried, All, All.

A Question proposed.

Then he put the Question, That if any Man were of a contrary Mind, they should say No? and not one Man gave his No: The Agitators, on the behalf of the Soldiers, press'd to have the Question put, Whether that Regiment did acquiesce, and were satisfied with the Votes? But in regard the other way was the more orderly, and they might after perusal proceed more deliberately, the Question was laid aside; and indeed had it been put, it would not have received one Voice in the Affirmative, such was the Unanimity of the Officers and Soldiers in that Regiment. And this brief Account may serve for the several Regiments, Horse, Foot, and Dragoons, this Day at the Rendezvous. I forgot to tell you, That after the Commissioners had done reading the Votes, and speaking to each Regiment, and received their Answer, the Regiment cried out, *Justice, Justice.*

Justice, Justice

Officers and Soldiers who withdrew, refused to be accepted again.

One Passage there was amongst the Dragoons; Some of the Officers who had deserted the Army, made a pretence to go for *Ireland*, came to the Regiment, desiring to be received again; but the Regiment advised them to withdraw from off the Field, otherwise they would disgrace them in the Face of the whole Army.

This Night the Head-Quarters are at *Royston*.

Essex Petition not to disband till, &c.

This Day in the Field there was a Petition delivered to the General, in the Name of many well-affected People in the County of *Essex*, which you may see at large in *June* Five and Six. In brief, the Purport is, 'That in regard of the present unsettled Condition 'of the Kingdom, and the design of many to deprive the Subject of 'their Liberty, they would not consent to the disbanding of the 'Army, nor any part thereof, till there were a general Settlement of 'things in the Kingdom.'

Satur-

Saturday, June 12, 1647. Upon the Rumour of the Armies near approach to the City, the Militia of *London* ordered all the Trained-Bands to be raised on pain of Death; but upon a further Understanding they were all dismissed again, only strong Guards set about the Line.

On pain of Death Trained Bands to their Arms.

An Order likewise was for all within the City to shut up their Shops, which some did for a time, but opened them again, and all things continued very peaceably in the City. And this Day the Common-Council of *London* came to a Resolution to send a Letter to the General and Officers of the Army, in answer to theirs, with the Houses approbation; and also to send down some of their Members to treat with the General and Officers, that a right Understanding, and a fair Correspondence may be between the City and the Army.

A Committee sent from the City to the Army for a right understanding.

The Names of those sent to the Army from the City, are included in the Order of the Common-Council, which follows the Letter now to be mentioned, *viz.*

To His Excellency Sir Thomas Fairfax, *Knight, General of the Forces raised by the Parliament, and the rest of the Worthy Commanders.*

Right Honourable and Worthy Commanders,

The Answer of the Lord-Mayor, &c. to the General, &c. June 12, 1467

Your Letter dated at Royston, *the* 10th *of this Instant* June, *We, the Mayor, Aldermen, and Commons in Common-Council assembled, have seriously perused; and presented a Copy thereof to each House of Parliament; and for your and our farther Satisfaction, We have sent a Committee of Aldermen and Commons, with this our Answer thereunto; and to prevent all misunderstanding betwixt that so well-deserving Army and this City. We take notice by that Letter, of your drawing near this City with your Army, for the obtaining your Desires as Soldiers, and as* Englishmen; *and of what you do, and do not intend thereby; more especially, that you come not to do any Act, to prejudice the being of Parliaments, or to the hurt of this, in order to the present Settlement of the Kingdom; and of your Declaration, 'That if we appear not against you in those your just Desires, to assist 'those that would embroil you and the Kingdom in a new War; that you intend 'no evil towards the City, nor that you or your Soldiers shall give it the least Offence. But we desire that in regard your Approaches may, contrary to your Intentions, be an occasion to increase the Price of Victual, and to discontented Persons to make some ill use thereof in raising of Tumults, That you will be pleased to take it into your further Consideration, and in order to your own Resolution concerning this City's Safety, to forbear Quartering withing Thirty Miles thereof, which we shall look upon as a special Evidence of the sincerity of your Intentions expressed in your Letter. We cannot pass by that Expression of yours, to hazard your own Blood for our Preservation; nor can we return you more real Thanks for it than this, to declare our Resolutions, that the very thought of engaging this Kingdom in a new War we unanimously detest; and that we intend no evil to you, but only defend the Parliament and our selves against any unlawful Violence; for prevention whereof, least it should happen (though you never intended it) we have, by the Direction of Parliament, and for our own Safety, put our selves in a posture of Defence, but not with the least Intention to do any prejudice to that Army, whom God hath made so eminent an Instrument of our Deliverance and Safety. And we do disavow the raising of any Forces, or taking up of any Arms, in opposition to, or with intent to hinder the obtaining of your just Demands; yea, so far have we been, and shall be from that, that both before and since the Receipt of your Letter, we have made our humble Addresses to the Parliament for the obtaining thereof, which we shall not fail to prosecute as occasion shall present; only this Request we earnestly make in the Name of the City, that you will be careful when you descend into Particulars, to desire no more than what shall be just and reasonable, and in such a way as may consist with the Honour, Power, and Privilege of Parliament, Liberty of the Subject, and the Safety of the City and Kingdom; and we shall appeal*

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London, July 12, 1647.

By Command of the Mayor, Alermen, and Commons of the City of *London*, in Common-Council assembled.

Mitchel.

June 12. *Die Sabbati, June* 12, 1647. The House being informed, That divers Aldermen, and Citizens of the City of *London*, were at the Door, they were called in, and Mr. Alderman *Fowke* acquainted the House, 'That they were commanded by the Lord-Mayor, Aldermen, and Commons in Common-Council assembled, to present 'unto this House their Sense, upon a Matter of very great Importance; they having again considered of the General's Letter unto them, and have made an Answer to it, which they have 'thought fit to acquaint this House with, and to desire their approbation of sending it to the Army.'

The Aldermen and the Gentlemen of the City being withdrawn, the Letter was read.

Resolved, &c.

That this House doth approve of the Cities sending this Letter to the Army in the way they propose.

The Aldermen and Citizens were again called in, and Mr. Speaker, by Command of the House, acquainted them, That the House had considered of their Desires, and of the Letter presented by them, and are very sensible of their good Affections to the Peace, and Good of the Kingdom, and Honour of the Parliament; for which he was commanded to give them Thanks.

H. Elsynge, Cler. Parl. d'Com.

Commune Concilium tenetum in Camera Guild-Hall, *Civitatis* London, *duodecimo die* Junii, 1647.

According to an Order of this Court, made this Day, the Committee therein appointed, *viz.* Mr. Alderman *Warner*, Mr. Alderman *Fowke*, Mr. Alderman *Gibbs*, Mr. Alderman *Viner*, *Christopher Packe*, Major, Chamberlain *Thomas Noel*, Colonel *Thomas Player*, Major *Hitchcocke*, *Robert Lowther*, *Richard Waring*, and *Walter Pell*, did present the draught of an Answer to the Letter received from His Excellency Sir *Thomas Fairfax*, and other Commanders of the Army, which was here openly read, and after Debate upon every particular Clause therein, the same was approved of by this Court. And thereupon it is ordered, That the said Committee shall make their Addresses forthwith to both Houses of Parliament, and acquaint them with the Common-Council's Intention to send the said Answer unto the said Army, by the said Committee, thereby to prevent all misunderstanding and further effusion of Blood; and that they will vouchsafe to take into their speedy and serious Consideration the just Desires of the Army, and give such fit Remedies thereunto, as in their Wisdoms shall be thought fit. And this Court doth hereby give Power and Authority to the said Committee to repair with all Expedition unto the Army, and present the said Answer unto His Excellency, and to give and receive such further Satisfaction concerning the Matter contained in the said Answer, as occasion shall require, and to present the desire of this Court, that His Excellency, and other the Commanders of the said Army, will have a special care for the Preservation of His Majesty's Royal Person, whilst he remaineth with them.

Mitchel.

The

The Parliaments Information of the Armies Advance.

The House of Commons this Day read a Letter from their Commissioners in the Army, giving them an Account of their Proceedings, and the Armies Advance near *London*, and sent likewise inclosed Copies of the Three Petitions from *Essex*, *&c.* which is at large in *June* five and six; the *Suffolk* and the *Norfolk* being the twelfth, will be here at large: All presented to the General not to disband the Army, till the general Grievances be redrest; which Petitions were read in the House, and laid aside. The *Norfolk* Petition is as follows, *viz.*

To His Excellency Sir *Thomas Fairfax*, Knight, Captain General of the Parliament Forces.

The humble Petition of the peaceable and well-affected Inhabitants of the Counties of Norfolk *and* Suffolk, *together with the City and County of* Norwich, *earnestly endeavouring after the Prosperity of the Parliament, and the Peace of the Kingdom.*

Sheweth,

THat whereas your Excellency has been appointed Commander in Chief over these free Commons of *England*, that have been invited by the Parliament to stand up in defence of themselves and Fellow-Subjects in time of imminent Danger, against all Arbitrary Government, Tyranny, and Oppression; and that the Parliament has, by divers Declarations, Remonstrances, and Protestations, engaged themselves both to God and the Kingdom, to endeavour to the utmost to maintain the ancient Government of this Kingdom, and to preserve the Rights and Liberties of the Subjects, and to lay hold on the first Opportunity of procuring a safe and well-grounded Peace; notwithstanding all which, there is now an appearance of a most horrid Design to ruin the native Liberties of the Subject, whereby Discontents are fomented in the Hearts of the People, and the Kingdom like to be divided into Factions, to the imminent Danger of embroiling us yet again in Blood: And from the Policy of the Complotters of this Design, we humbly conceive have already proceeded those sad Obstructions of our free Addresses to the Parliament, in representing our Grievances, and making humble Offers to their Wisdom of just Remedies, which have imposed this necessity upon us, humbly to implore June 12.

Your Excellency's Assistance to mediate with the Parliament in the behalf of us, and all the free Commons of *England*, for the speedy and peaceable Establishment of those our native Liberties, which have now cost the Kingdom such vast Expence of Blood and Treasure; That all Obstructions that lay in the way to hinder the Addresses of the free Subjects of *England* to the Parliament, in representing their Grievances, Fears, Doubts, and Jealousies; as also Offers of Remedy might be so speedily removed, as that a firm Peace and Union might be yet again enjoyed in our distracted Kingdom, according to the Intentions of the Parliament frequently declared, Engagements of the Army, and the ardent Expectations of all the well-affected in the Kingdom.

And your Petitioners shall ever pray, &c.

This Petition was presented to His Excellency at St. *Albans*, the 12*th* of *June* present, with the Subscription of Fourteen Hundred of the Inhabitants.

These Petitions aforenamed were read in the House, and laid aside.

Intimation of a design to secure Newcastle *against the Parliament.*

A Letter from *Newcastle*, signed *Jo. Cosens*, directed to Alderman *Adams*, and from him delivered to a Member of the House of Commons, was this Day presented to the House and read, intimating, some Design of a Party in the Town to secure that Town against the

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the present Government. The House, upon Debate hereof, ordered to refer the Letter to a Committee of Safety; and that a Copy of this Letter should be sent to Field-Marshal *Skippon*, now with the Army.

The House further ordered, that Mr. *Scowen* and Mr. *Povey*, Commissioners for the Army, should speedily repair down to the Army. And in respect the Desires of the Army are not yet known particularly, or what they intend to insist upon, the House upon serious Debate hereof have ordered to send down more Commissioners to them, and to enlarge their Instructions; and to that purpose they nominated Sir *Thomas Widdrington*, and Colonel *White* to be Commissioners to go down to the Army.

More Commissioners to go to the Army.

And an additional Instruction passed the House, that the Commissioners in the Army should use all the best ways and means they can to know of the Army, what their particular Desires are, and what will give them Satisfaction; and this Additional Instruction was sent to the Lords, and they concurred therein.

To know particularly their Desires.

An Order was made for fifty Barrels of Powder to be sent to *Plimouth*, and fifty Barrels more to *Pendennis*.

Letters were this Day brought to the House from the General, Sir *Thomas Fairfax*, one to the Lords, and another to the Commons, giving them to understand, that he had this Day received the Letters from both Houses, concerning not advancing with his Army within forty Miles of *London*, but that the Army was advanced near St. *Albans* before the Receipt of that Letter, and doubted not but to give a good Account of the Reasons of their Advance thither, and desired a Month's Pay might be sent down to pay the Army, that they might not be burthensome to the Country, or take Free-Quarter, but there was nothing upon this Letter then done.

Answer to the Army not advancing, to have a Months Pay.

The House sate very late this Night, and had presented them a Copy of the Letter to be sent from the City to the General, and Officers of the Army, which they approved of and sent to the Lords for their Concurrence; and after this adjourned, and ordered to sit to Morrow after Evening Sermon.

Lord's-Day, June 13, 1647. Sir *Thomas Widdrington* and Colonel *White*, according to the Order of the House, went from *London* by Three this Morning towards the General at St. *Albans*.

After Evening Sermon both Houses sate a while (as was before ordered) and they received a Letter from the Commissioners at St. *Albans*, giving to understand, That Sir *Thomas Widdrington*, and Colonel *White* were come thither, and had acquainted the General and Officers with the additional Instructions, and that they would give a further Account hereof to the Houses with all speed.

The House sate after Sermon.

Some of the Militia and Common-Council of *London* came down to the House also this Evening for their Approbation to the Letter to be sent to the Army, but the House of Peers having adjourned a little before they came, the business was put off till to Morrow.

The Army, we understand, renew their Desire for a Month's Pay, that they may not be burthensome to the Country, and that they will comply with the Votes of the House, not to draw their Quarters nearer *London*, than twenty Miles, without first giving notice to the Parliament's Commissioners thereof.

A Months Pay for the Army.

The King for certain (whatever other Reports are) is still at *Newmarket*.

The

Monday, June 14, 1647. The Lords sent a Message to the Commons, desiring that a Declaration might be drawn up to the Kingdom what the Houses hath done, and what they will do for the further Ease of the Subjects of this Nation; what Satisfaction they intend to give the Soldiery of the Kingdom; and what course they intend for the settling the Peace of the Kingdom. *22 Caroli I.* *A Declaration in Vindication of the Parliament.*

Their Lordships having appointed a Committee for this purpose, desired a proportionable Number of the House of Commons to join with them therein, which was assented unto.

Another Message this Day came from the Lords, desiring that it may be referred to this Committee to draw the forenamed Declaration, to consider what Place is fit and convenient to have the Person of the King to be brought unto, that so they may have the joint compliance of both Kingdoms, for the settling of a safe and well-grounded Peace. *In what Place it was fit to have the King.*

The House had much Debate thereof, and after a long Dispute, it was ordered, that the House would send Answer by their own Messengers.

A Message this Day came from the Lords, recommending the Petition of many peaceable Officers, which Petition was read, and much Debate had thereupon; and it was ordered a Declaration should be drawn up to the Kingdom, what Satisfaction they have given to the Soldiers, and what further Satisfaction they intend to give them. And that hereafter none should presume, upon pain of Death, to meet in such a tumultuous way as they have done. *A Petition of many peaceable Officers.* *Not to meet in a tumultuous way.*

A Committee was appointed on purpose to draw up this Declaration.

The House hereupon appointed several Members of the House to acquaint the Petitioners with the Sense of the House upon this Petition, and what dislike the House hath of the manner of their assembling.

Hereupon it was ordered, that the Militia of the City should be desired to send a considerable Guard to the House. *A Guard also for* Westminster.

That Captain *Falconbridge*, and Captain *White*, should be required to bring the Trained-Bands of *Westminster* for the Guard of the House.

This Morning early the Commissioners from the Council of the City of *London*, set out with three Coaches and their Attendants on Horseback towards St. *Albans*, with the Answer to his Excellency's and the Officers Letters. *City Commissioners.*

The House of Peers sent a Message to the Commons for a Committee of both Houses, to consider of a Declaration to be published to the Kingdom what the Army hath demanded, what is offered, *&c.* to which the Commons concurred, ten Lords and twenty Commoners are of the Committee. *Declaration of Vindication.*

The Lords caused the Propositions to be read in their House, and sent a Message by two Judges to put the Commons in mind of the former Message concerning the King. The House ordered to send Answer by Messengers of their own. *Propositions.*

The Commons heard the Reports of the Conference with the *Scots* Commissioners concerning the King, and then being acquainted that there were divers of the Parliament's old Officers and Soldiers in the Hall and Palace, ordered to send to desire them to withdraw. Westminster-*Hall and the Palace full of Officers and Soldiers.*

Letters from *Dublin, June* 9. present, give to understand, All or most of that Force late in *Scotland* with *Kilketto*, are for certain landed in *Ulster*: They came in fifteen Vessels, which they run *That the Forces of* Kilketto *are returned to* Ulster.

An. 1647. upon the Sands near *Cundrum*, in the Isle of *Lecall*, and marched away uninterrupted towards *Charlemont*, two Boys only were left in the Barque, who say they were 800 in Number. Some Letters speak, that when the Party was defeated, which occasioned the flight of the rest, there were 400 Foot taken, where the greatest part were hanged, which terrified much the rest.

The Commissioners from Parliament, and Forces, landed at Dublin.

The Commissioners landed at *Dublin*, *Monday* the 7*th*, after four Days plying at Sea; with them, Colonel *Jones*, Captain *Meredith*, Captain *Parsons*, making in all 450 Horse, but all in good Equipage; likewise Colonel *Kingston*'s Regiment of Foot, upwards of 700, which with Captain *Row*, and Captain *Ward*'s Company, Colonel *Moor's*, and Colonel *Austin*'s Recruits, made the Foot upwards of 1000; all were joyfully received by Thousands. The business is followed close by the Commissioners; first with the Marquess, which is near ended; the Punctilio stood upon may suspend, not alter any thing. Some of the late-come Soldiers have been unruly in disordering some Mass-Houses, going in triumphant Procession with the Corps and other Trinkets, which much discontented the Papists, caused many of their Clergy to depart with Bag and Baggage: To avoid this, it was moved, that the Soldiers might be drawn to a Rendezvous to Exercise, but that was foreseen; The Field Officers being sent among them they were quiet.

Sir Charles Coote's *Success.*

The Defeat given by Sir *Charles Coote* is confirmed, the number slain was not so many as was expressed, but the Booty greater; yet all agree 600 were slain. The Parliament's Soldiers in *Lecall*, are in great want of all Things, especially Shoes, Stockings, and Boots, which are not here to be got for Money.

Want of Provision, &c.

Lord Taffe *and Lord* Digby *to break the Independant Army.*

The Lord *Digby* plays least in sight, also the Lord *Taffe*, their great expectation lies wholly in breaking of the Independant Army (as they call it.)

It appears by Letters intercepted, and after printed by the *Irish*, the Parliament of *Dublin*, the Lords Spiritual as well as Temporal, with the Commons, have first decreed, and have bestowed a Visit Congratulatory upon the Commissioners, to welcome their good Arrival.

Lord Inchiqueen's *Success.*

Letters from Admiral *Crowther*, now in *Waterford-Bay*, dated the 7*th* past, give us notable Service done by my Lord *Inchiqueen*: The manner thus: 'The Lord President being desirous to take all 'Advantages upon the Rebels, sent a Party about 500 to fall in 'between some Cattle belonging to *Waterford*, which in the Day 'time went abroad, at Night were brought into a *Peninsula* for 'Safety, which succeeded accordingly; they of *Waterford* sally out, 'and are beaten, near 100 Slain and Wounded, many Prisoners 'taken, 3000 Head of Cattle, 2000 Sheep. They of *Waterford* 'have so smarted by this, that they have made an Act of Common-'Council not to sally out any more. This Sea-Town hath no na-'tural *Irish* in it, nor would admit any during these Troubles. 'The President since took a Town and Castle called *Killin Thomas*, 'within three Miles of *Waterford*.

The Person of the King to be brought to Richmond.

This Day, being *June* 15, 1647. The House of Commons reassumed the Debate of the further disposal of the King's Person, and some Votes past for his removal to *Richmond*, to which likewise the Lords concurred; and these ensuing Orders were agreed upon by both Houses, *viz.*

Die

Die Martis, 15 *Junii*, 1647.

June 15.

ORdered by the Lords and Commons assembled in Parliament, That the General be required to deliver the *Person of the King* to such Persons as both Houses shall appoint, to be placed at *Richmond*, under such Guards, and in such manner as they shall think fit, to the intent, that the Propositions agreed upon by both Kingdoms may be speedily presented to His Majesty, for the settling of a safe and well-grounded Peace.

Ordered by the Lords and Commons assembled in Parliament, That the Persons to whom the General is required to deliver the Person of the King, to be placed at *Richmond*, shall be the Commissioners formerly appointed to receive the Person of the King at *Newcastle*, or to any three of them.

Ordered by the Lords and Commons assembled in Parliament, That the Guards appointed to receive the Orders and Directions of the Commissioners, in attending and guarding the Person of the King, shall be Colonel *Rossiter* and his Regiment.

Ordered by the Lords assembled in Parliament, That these Orders be forthwith printed and published.

John Browne, Cler. Parl.

Colonel Birch.

The Accounts of Colonel *Birch*, a Member of this House, was this Day reported to the House, and approved of, and ordered he should have the Publick Faith for Four Thousand Nine Hundred and odd Pounds, in satisfaction of his Demand upon this Account.

The House ordered, That the Officers that have not their Accounts stated, and are in Town, shall have a Month's Pay of their Arrears for their Subsistance.

Soldiers Accounts.

That those in Town, whose Accounts are stated, shall have six Weeks present Subsistance.

Loco & tempore belli. *Immunity.*

It was referred to the Committee of Indempnity to consider of such Officers as are under restraint for any thing done *tempore & loco belli*, to discharge them if they see cause, and to discharge such others that shall be Arrested or Imprisoned for the future.

Colonel *Graves* Forces were ordered this Day a Month's Pay.

Soldiers dissatisfaction.

This Day Letters were read in both Houses from the Commissioners with the Army, thereby giving to understand, That the Votes concerning those that would come away from the Army, did much distaste the Soldiery, and that there would be sudden Answer given by the General and Army to what was contained in their additional Instructions, whereof he would give the House timely notice.

City will raise no Forces against the Army but pray they may withdraw

And accordingly the Commons received a Letter from the Commissioners late at Night, with a Declaration enclosed. The Common-Council had also another brought by their Commissioners, much Love exprest, a good Correspondency desired, no Forces to be raised by the City; and a Copy of the Declaration, which was read in the Court of Common-Council; and a Letter was ordered to be returned by the same Commissioners, with leave from the Houses to assure them of no Forces raising against them; and that they move the Parliament for Moneys to pay the Army, that they may withdraw further from the City. The Declaration is at large as follows, *viz.*

An. 1647.

June 14.
The Declaration, &c. treats concerning the just and fundamental Rights and Liberties of themselves and the Kingdom, with some humble Proposals, viz. That the House may be purged from Delinquents, &c.

The Armies Declaration at large.

A Declaration, or Representation *from His Excellency Sir* Thomas Fairfax, *and of the Army under his Command.*

Humbly tendred to the Parliament.

THat we may no longer be the dissatisfaction of our Friends, the subject of our Enemies Malice, (to work Jealousies and Misrepresentations upon) and the suspicion (if not the astonishment) of many in the Kingdom, in our late or present Transactions and Conduct of Business, we shall in all faithfulness and clearness profess and declare unto you, those Things which have of late protracted and hindred our disbanding, the present Grievances which possess our Army, and are yet unremedied, with our Desires as to the compleat settlement of the Liberties and Peace of the Kingdom, which is that Blessing of God, than which (of all worldly Things) nothing is more dear unto us, or more precious in our Thoughts, we having hitherto thought all our present Enjoyments, whether of Life, or Livelihood, or nearest Relation, a Price but sufficient to the purchase of so rich a Blessing, that we, and all the free-born People of this Nation may sit down in quiet under our Vines, under the glorious Administration of Justice and Righteousness, and in the full possession of those Fundamental Rights and Liberties, without which we can have little hopes (as to humane Considerations) to enjoy either any Comforts of Life, or so much as Life it self, but at the pleasures of some Men ruling meerly according to Will and Power.

It cannot be unknown what hath passed betwixt the Parliament and the Army, as to the Service of *Ireland*. By all which together, with the late Proceedings against the Army, in relation to their Petition and Grievances, all Men may judge what hath hindered the Army from a ready engagement in that Service, and, without further Account or Apology, as to that particular, than what Passages and Proceedings themselves, already made publick, do afford. We do appeal to your selves, whether those Courses, to which the Parliament hath (by the Designs and Practices of some) been drawn, have rationally tended to induce a chearful and unanimous undertaking of the Army to that Service, or rather to break or pull the Army in pieces with Discontent and Dishonour, and to put such Disobligations and Provocations upon it as might drive it into Distemper; and indeed discourage both this Army and other Soldiers from any further engagement in the Parliament's Service. And we wish all Men would, with us, upon the whole Carriage, seriously consider, whether (in the Intentions of those who have by false Informations and Misrepresentations, put the Parliament upon such ways) the timely and effectual relief of *Ireland*, seem really to have been intended, or rather, with the breaking or disbanding of this Army, to draw together, or raise such other Forces, and of such a Temper, as might serve to some desperate and destructive Designs in *England*. For which, besides the probable suspicions from their carriage of the business, we have before-hand, in the transaction thereof, had more than hints of such a Design, by clear Expressions to that purpose, from many of the Officers of the Army, that have been perswaded, and appeared most forward to engage for *Ireland*, on the Terms proposed. And that such a Design hath all along been driven, seems now too evident, by the present disposing of those Forces that have been engaged for *Ireland*, by the endeavours of some to gain a Power from the Parliament, of ordering those Forces for some Service in *England*: And by the private Listings of Men for Service there, without any publick Authority of Parliament. And all this, by the same Persons who have all along appeared most active and violent in the late Proceedings against the Army.

As to the just Discontents and Dissatisfactions of the Army, in relation to their Grievances, and their non-compliance to the late Orders for sudden disbanding by peace-meal, before more full and equal satisfaction were given to the whole, we desire you to look back to the Papers already published, of the Grievances themselves, the Narrative of the Officers, and the late Papers from the General Council of War at *Bury*, and late General Rendezvous near *Newmarket*: And we think your late resuming the Consideration of these

these things (as to a further satisfaction) doth most justifie the Desires and Proceedings of the Army, in the past Particulars hitherto.

And though had we (upon our first Addresses for our undoubted Rights and Dues) found a free and candid Reception, with a just Consideration and reasonable Satisfaction, or at least a free Answer therein, we should have been easily perswaded to have abated or forborn much of our Dues, and not to have inquired into, or considered (so far as we have) either the possibilities there are for more present satisfaction of Arrears, or the credit of future Securities proposed; yet since upon these former Addresses we have found such hard dealing as in the said Paper is set forth, and those additional (though hitherto but partial) Satisfactions coming so hardly as they have, we find no obliging Reasons in the least to decline or recede from what is our due, but rather still to adhere unto our desires of full and equal satisfaction of all the Things mentioned in the aforesaid Papers, not only in behalf of our selves and the Army, but also the whole Soldiery throughout the whole Kingdom, who have concurred, or shall concur with us in the same desires.

And to all our former desires as Soldiers, we cannot but add this (wherein we find our selves so nearly concerned in point of Justice and Reputation) that more care, *&c.* stricter course may be taken for making good all Articles granted upon Surrenders, according to the true intent and meaning of them. As also for remedy and reparation in case of any Breach; and this without those delays which divers have found as prejudicial to them, or more, than if they had been totally denied the performance of them.

Nor will it now, we hope, seem strange or unseasonable to rational and honest Men, who consider the consequence of our present Case, to their own and the Kingdoms (as well as our) future Concernment in point of Right, Freedom, Peace, and Safety, if from a deep Sense of the high Consequence of our present Case, both to our selves, in future, and all other People, we shall, before disbanding, proceed in our own and the Kingdom's behalf, to propound and plead for some Provision for our and the Kingdom's satisfaction, and future Security, in relation to those things, especially considering, that we were not a meer mercinary Army, hired to serve any Arbitrary Power of a State, but called forth and conjured by the several Declarations of Parliament, to the defence of our own and the People's just Rights and Liberties. And so we took up Arms in Judgment and Conscience to those Ends, and have so continued them, and are resolved, according to your first just desires in your Declarations, and such Principles as we have received from your frequent Informations, and our own common Sense concerning those our fundamental Rights and Liberties, to assert and vindicate the just Power and Rights of this Kingdom in Parliament, for those common Ends premised against all Arbitrary Power, Violence, and Oppression, and against all particular Parties or Interests whatsoever. The said Declarations still directing us to the equitable sense of all Laws and Constitutions, as dispensing with the very Letter of the same, and being supream to it, when the Safety and Preservation of all is concerned, and assuring us, that all Authority is fundamentally seated in the Office, and but ministerially in the Persons; neither do or will these our Proceedings (as we are fully and in Conscience perswaded) amount to any thing not warrantable before God and Men, being thus far much short of the common Proceedings in other Nations, to things of a higher nature than we have yet appeared to. And we cannot but be sensible of the great Complaints that have been made generally to us of the Kingdom, from the People where we march, of Arbitrariness and Injustice, to their great and insupportable Oppressions.

And truly such Kingdoms as have, according both to the Law of Nature and Nations, appear'd to the vindication and defence of their just Rights and Liberties, have proceeded much higher; as our Brethren of *Scotland*, who, in the first beginning of these late Differences, associated in Covenant, from the very same Grounds and Principles (having no visible Form either of Parliament or King to countenance them;) and as they were therein justified and protected by their own and this Kingdom also, so we justly shall expect to be.

We need not mention the States of the *Netherlands*, the *Portugals*, and others, all proceeding from the same Principles of Right and Freedom: And accor-

An. 1647. accordingly the Parliament hath declared it is no reſiſtance of Magiſtracy, to ſide with the juſt Principles and the Law of Nature and Nations, being that Law upon which we have aſſiſted you. And that the Soldiery may lawfully hold the Hands of the General, who will turn his Cannon againſt his Army, on purpoſe to deſtroy them; the Seamen the Hands of the Pilot, who wilfully runs the Ship upon a Rock (as our Brethren of *Scotland* argued.) And ſuch were the Proceedings of our Anceſtors of famous Memory, to the purchaſing of ſuch Rights and Liberties as they haye enjoyed, through the Price of their Blood, and we (both by that, and the later Blood of our dear Friends and Fellow-Soldiers, with the hazard of our own) do now lay claim to.

Nor is that ſupream End (the Glory of God) wanting in theſe Caſes, to ſet a price upon all ſuch Proceedings of Righteouſneſs and Juſtice. It being one Witneſs of God in the World, to carry on a Teſtimony againſt the Injuſtice and Unrighteouſneſs of Men, and againſt the Miſcarriages of Governments, when corrupted or declining from their primitive or original Glory.

Theſe things we mention, but to compare Proceedings, and to ſhew, that we are ſo much the more juſtifiable and warranted in what we do, by how much we come ſhort of that height and meaſure of Proceedings, which the People in Free Kingdoms and Nations have formerly practiſed.

Now having thus far cleared our way in this buſineſs, we ſhall proceed to propound ſuch things as we do humbly deſire, for the ſettling and ſecuring of our own and the Kingdom's common Right, Freedom, Peace, and Safety, as followeth.

The Parliament to be purged.

Firſt, That the Houſes may be ſpeedily purged of ſuch Members as for their Delinquency, or for Corruptions, or abuſe to the State, or undue Elections, ought not to ſit there: Whereof the late Elections in *Cornwal*, *Wales*, and other parts of the Kingdom, afford too many Examples, to the great prejudice of the People's Freedoms in the ſaid Elections.

Secondly, That thoſe Perſons who have in the unjuſt and high Proceedings againſt the Army, appeared to have the Will and Confidence, Credit and Power, to abuſe the Parliament and the Army, and indanger the Kingdom in carrying on ſuch things againſt us (while an Army) may be ſome way ſpeedily diſabled from doing the like, or worſe to us (when disbanded and diſperſt, and in the condition of private Men) or to other the free-born People of *England*, in the ſame Condition with us; and that for that purpoſe the ſame Perſons may not continue in the ſame Power (eſpecially as our and the Kingdom's Judges in the higheſt Truſt) but may be made incapable thereof for the future.

A Period for their ſitting.

And if it be queſtioned who theſe are, we thought not fit particularly to name them in this our Repreſentation unto you, but ſhall very ſpeedily give in their Names, and before long, ſhall offer what we have to ſay againſt them to your Commiſſioners, wherein we hope ſo to carry our ſelves, as that the World ſhall ſee we aim at nothing of private Revenge or Animoſities, but that Juſtice may have a free courſe, and the Kingdom be eaſed and ſecured by diſabling ſuch Men (at leaſt) from places of Judicature, who deſiring to advantage and ſet up themſelves and their Party, in a general Confuſion have endeavoured to put the Kingdom into a new flame of War, than which nothing is more abhorring to us.

But becauſe neither the granting of this alone would be ſufficient to ſecure our own, and the Kingdom's Rights, Liberties and Safety, either for the preſent Age or Poſterity, nor would our propoſing of this ſingly, be free from the ſcandal and appearance of Faction or Deſign, only to weaken one Party (under the Notion of unjuſt or oppreſſive) that we may advance another (which may be imagined more our own) we therefore declare,

That indeed we cannot but wiſh, That ſuch Men, and ſuch only, might be preferred to the great Power and Truſt of the Common-wealth, as are approved at leaſt for moral Righteouſneſs. And of ſuch we cannot but in our Wiſhes prefer thoſe that appear acted thereunto by a principle of Conſcience and Religion in them.

And accordingly we do, and ever ſhall bleſs God, for thoſe many ſuch Worthies, who through his Providence have been choſen into this Parliament;

ment; and to ſuch Mens endeavours (under God) we cannot but attribute that Vindication in part of the People's Rights and Liberties, and thoſe beginnings of a juſt Reformation, which the firſt Proceedings of this Parliament appeared to have driven at, and tended to, though of late obſtructed, or rather diverted to other Ends and Intereſts, by the prevailing of other Perſons, of other Principles and Conditions.

But yet we are ſo far from deſigning or complying to have an abſolute or arbitrary Power ſettled, for continuance, in any Perſons whatſoever, as that (if we might be ſure to obtain it) we cannot wiſh to have it ſo in the Perſons of any whom we could moſt confide in, or who ſhould appear moſt of our own Opinions or Principles, or whom we might have moſt perſonal aſſurance of, or intereſt in: But we do and ſhall much rather wiſh, that the Authority of this Kingdom in Parliaments (rightly conſtituted) that is, freely, equally, and ſucceſſively choſen, according to its original Intention, may ever ſtand and have its courſe: And therefore we ſhall apply our deſires chiefly to ſuch things as (by having Parliaments ſettled in ſuch a right Conſtitution) may give moſt hopes of Juſtice and Righteouſneſs to flow down equally to all in that its ancient Channel, without any Overtures tending either to overthrow that Foundation of Order and Government in this Kingdom, or to engroſs that Power for Perpetuity into the Hands of any particular Perſons or Party whatſoever.

And for that purpoſe, though (as we have found it doubted by many Men, minding ſincerely the publick Good; but not weighing ſo fully all Conſequences of things) it may, and is not unlike to prove, that upon the ending of this Parliament, and the election of a new, the Conſtitution of ſucceeding Parliaments, (as to Perſons elected) may prove for the worſe many ways; yet ſince neither in the preſent purging of this Parliament, nor in the election of a new, we cannot promiſe to our ſelves, or the Kingdom, an aſſurance of Juſtice, or other poſitive good from the Hands of Men, but thoſe who for preſent appear moſt Righteous, or moſt for common Good, having in them an unlimited Power fixed in them, during Life or Pleaſure, in time may become corrupt, or ſettle into Parties or Factions. Or on the other ſide, in caſe of new Elections, thoſe that ſhould ſo ſucceed, may prove as bad or worſe than the former.

We therefore humbly conceive, that of two Inconveniencies the leſs being to be choſen, the main thing to be intended in this caſe (and beyond which humane Providence cannot reach, as to any aſſurance of poſitive Good) ſeems to be this, *viz.* to provide, That however unjuſt or corrupt the Perſons of Parliament Men, in preſent or future, may prove, or whatever ill they may do to particular Parties (or to the whole in particular things) during their reſpective Terms or Periods, yet they ſhall not have the Temptation or Advantage of an unlimited Power fixed in them, during their own pleaſure, whereby to perpetuate Injuſtice or Oppreſſion upon any, without end or remedy, or to advance or uphold any one particular Party, Faction, or Intereſt whatſoever, to the oppreſſion or prejudice of the Community, and the enſlaving of the Kingdom to all Poſterity; but that the People may have an equal hope or poſſibility, if they have made an ill choice at one time, to mend it in another. And the Members of the Houſe themſelves may be in a capacity to taſte of Subjection as well as Rule, and may be enclined to conſider of other Mens Caſes, as what may come to be their own. This we ſpeak of in relation to the Houſe of Commons, as being entruſted on the Peoples behalf for their Intereſt in that great and ſupream Power of the Common-wealth, *viz.* the Legiſlative Power, with the Power of final Judgments, which being in its own Nature ſo arbitrary, and in a manner ſo unlimited, unleſs in point of time, is moſt unfit and dangerous (as the People's Intereſt) to be fixt in the Perſons of the ſame Men, during Life, or their own pleaſures: Neither by the original Conſtitution of this State, was it, or ought it to continue ſo, nor does it (where-ever it is and continues ſo) render that State any better than a Tyranny, or the People ſubjected to it any better than Vaſſals. But in all States where there is any face of common Freedom, and particularly in this State of *England*, (as is moſt evident both by many poſitive Laws and ancient conſtant Cuſtom) the People have a Right to new and ſucceſſive Elections, unto that great and ſupream Truſt, at certain periods of Time, which is ſo eſſential and fundamental to their Freedom, as

Parliament to be purged.

Periods for their ſitting.

An. 1647. as it cannot or ought not to be denied them, or with-holden from them, and without which the House of Commons is of very little concernment to the Interest of the Commons of *England*. Yet in this we would not be misunderstood in the least, to blame those Worthies of both Houses, whose Zeal to vindicate the Liberties of this Nation, did procure that Act for the continuance of this Parliament, whereby it was secured from being dissolved at the King's pleasure, as former Parliaments had been, as reduced to such a certainty as might enable them the better to assert and vindicate the Liberties of this Nation, immediately before so highly invaded, and then also so much endangered. And this we take to be the principal Ends and Grounds for which in that exigency of Time and Affairs it was procured, and to which we acknowledge it hath happily been made use of; but we cannot think it was by those Worthies intended or ought to be made use of to the perpetuating of that supream Trust and Power in the Persons of any, during their own pleasures, or to the debarring of the People from their Right of Elections, totally now, when these Dangers or Exigencies were past, and the Affairs and Safety of the Common-wealth would admit of such a Change.

Having thus cleared our Gounds and Intentions, as we hope, from all Scruples and Misunderstandings, in what follows we shall proceed further to propose what we humbly desire, for the settling and securing of our own and the Kingdom's Rights and Liberties, (through the Blessing of God) to Posterity; and therefore upon all the Grounds premised, we further humbly desire as followeth.

Thirdly, That some determinate period of Time may be set for the continuance of this and future Parliaments, beyond which none shall continue, and upon which new Writs may of course be issued out, and new Elections successively take place, according to the intent of the Bill for Triennial Parliaments.

And herein we would not be misunderstood to desire a present or sudden Dissolution of this Parliament, but only, as is express'd before, that some certain Period may be set for the determining of it, so as it may not remain, as now, continuable for ever, or during the pleasure of the present Members; and we should desire that the Period be now set for ending this Parliament, may be such as may give sufficient time for provision of what is wanting, and necessary to be passed in point of just Reformation, and for further securing the Rights and Liberties, and settling the Peace of the Kingdom: In order to which we further humbly offer.

Parliaments not to be dissolved at the King's Pleasure.

Fourthly, That secure Provision may be made for the continuance of future Parliaments, so that they may not be Adjournable or Dissolvable at the King's pleasure, or any other ways, than by their own Consent, during their respective Periods, but at those Periods each Parliament to determine of course as before. This we desire may be now provided for, if it may be, so as to put it out of dispute for future, though we think of Right it ought not to have been otherwise before.

And thus a firm Foundation being laid, in the Authority and Constitution of Parliaments, for the Hopes at least of common and equal Right and Freedom to our selves, and all the free-born People of this Land. We shall hereby, for our part, freely and chearfully commit our Stock or Share of Interest in this Kingdom, into this common Bottom of Parliaments. And though it may, for our Particulars, go ill with us in the Voyage, yet we shall thus hope, if Right be with us, to fare better.

These things we desire may be provided for by Bill or Ordinance of Parliament, to which the Royal Assent may be desired; and when His Majesty in these things, and what else shall be proposed by the Parliament, necessary for securing the Rights and Liberties of the People, and for settling the Militia, and Peace of the Kingdom, shall have given his Concurrence to put them past dispute, we shall then desire, that the Rights of His Majesty, and his Posterity may be considered of, and settled in all things, so far as may consist with the Right and Freedom of the Subject, and with the Security of the same for the future.

Fifthly,

Fifthly, We desire, that the Right and Freedom of the People, to represent to the Parliament, by way of humble Petition, their Grievances (in such things as cannot otherwise be remedied than by Parliament) may be cleared and vindicated. That all such Grievances of the People may be freely received, and admitted into Consideration, and put into an equitable and speedy way to be heard, examined, and redressed, if they appear real, and that in such things for which Men have remedy by Law, they may be freely left to the Benefit of the Law, and the regulated course of Justice, without interruption or check from the Parliament, except in case of things done upon the exigency of War, or for the Service and Benefit of the Parliament and Kingdom, in relation to the War, or otherwise, in due pursuance and execution of Ordinances or Orders of Parliament. More particularly, under this Head, we cannot but desire, that all such as are Imprisoned for any pretended Misdemeanor, may be put into a speedy way for a just Hearing and Tryal, and such as shall appear to have been unjustly and unduly Imprisoned, may, with their Liberty, have some reasonable Reparation, according to their Sufferings, and the demerit of their Oppressors.

Powers to Committees and Deputy-Lieutenants to be regulated.

Sixthly, That the large Powers given to Committees, or Deputy Lieutenants, during the late time of War and Distraction, may be speedily taken into Consideration; that such of those Powers as appear not necessary to be continued, may be taken away, and such of them as are necessary may be put into a regulated way, and left to as little Arbitrariness as the nature and necessity of the things wherein they are conversant will bear.

Accounts.

Seventhly, We could wish that the Kingdom might both be righted and publickly satisfied in point of Accounts for the vast Sums that have been levied and paid; as also in divers other things wherein the Common-wealth may be conceived to have been wronged and abused; but we are loath to press any thing that may tend to lengthen out future Disputes or Contestations, but rather such as may tend to a speedy and general Composure and quieting of Mens Minds, in order to Peace, for which purpose we further propose.

Publick Justice and Oblivion.

Eighthly, That publick Justice being first satisfied by some few Examples to Posterity, out of the worst of excepted Persons, and other Delinquents, having past their Composition, some course may be taken by a general Act of Oblivion, or otherwise, whereby the Seeds of future War or Fears, either to the present Age or Posterity, may the better be taken away, by easing that Sense of present, and satisfying those Fears of future Ruin or Undoing to Persons or Families, which may drive Men into any desperate ways for Self-Preservation or Remedy; and by taking away the private Remembrances and distinction of Parties, as far as may stand with Safety to the Rights and Liberties we have hitherto fought for.

There are, besides these, many particular things which we would wish to be done, and some to be undone, all in order still to the same Ends of common Right, Freedom, Peace and Safety, but these Proposals aforegoing being the principal things we bottom and insist upon, we shall, as we have said before, for our parts, acquiesce for other Particulars in the Wisdom and Justice of Parliament. And whereas it has been suggested or suspected, That in our late or present Proceedings, our design is to overthrow Presbytery, or hinder the settlement thereof, and to have the Independant Government set up, we do clearly disclaim and disavow any such design. We only desire, that according to the Declarations (promising a provision of tender Consciences) there may be some effectual course taken, according to the intent thereof, and that such who upon Conscientious Grounds may differ from the established Forms, may not for that be debarred from the common Rights, Liberties, or Benefits belonging equally to all, as Men and Members to the Common-wealth, while they live soberly and inoffensively towards others, and peaceably and faithfully towards the State.

We have thus freely and clearly declared the depth and bottom of our Hearts and Desires, in order to the Rights, Liberties, and Peace of the Kingdom, wherein we appeal to all Men, whether we seek any thing of advan-

An. 1647. tage to our selves, or any particular Party whatever, to the prejudice of the whole; and whether the Things we wish and seek, do not equally concern and conduce to the Good of others in common with our selves, according to the sincerity of our Desires and Intentions, wherein, as we have already found the concurrent Sense of the People in divers Counties, by their Petitions to the General, expressing their deep resentment of these Things, and pressing us to stand for the Interest of the Kingdom therein, so we shall wish and expect to find their unanimous Concurrence of all others who are equally concerned with us in these Things, and wish well to the Publick.

And so trusting in the Mercy and Goodness of God, to pass by and help any Failings and Infirmities of ours in the Carriage or Proceedings hereupon, we shall humbly cast our selves and the business upon his good pleasure, depending only on his Presence and Blessing for a happy Issue to the Peace and Good of this poor Kingdom; in the accomplishment whereof, we desire and hope, that God will make you blessed Instruments.

Signed, *June* 14, 1647.

By the Appointment of His Excellency Sir Thomas Fairfax, *with the Officers of his Army.*

June 16, 1647. This Day came to the Houses of Parliament, from his Excellency and the Officers and Soldiers of the Army, a Charge against the Eleven Members of the Commons House, whereby they are charged with obstructing the business of *Ireland*, to have been Actors against the Army, and against the Laws and Liberties of the Subject, and obstructing of Justice. The Members charged herewith, are these following, *Denzil Hollis*, Esq; Sir *Philip Stapleton*, Sir *William Lewis*, Sir *John Clotworthy*, Sir *William Waller*, Sir *John Maynard*, Knights, Major General *Massey*, Mr. *Glynn*, Recorder of *London*, Colonel *Walter Long*, Colonel *Edward Harley*, and *Anthony Nichols*, Esq; Members of the House of Commons.

The Charge follows at large, *viz.* With a Paper annexed from the General, *&c.* to the Commissioners of Parliament, of their further Proposals to the House.

June 16, 1647.

June 14.

11 *Members Impeached.*

The Heads of a Charge delivered in the Name of the Army, under the Command of Sir Thomas Fairfax *unto the Commissioners of Parliament, now with the Army at St.* Albans, *to be by them sent up to the Parliament, against* Denzil Hollis, *Esq; Sir* Philip Stapleton, *Sir* William Lewis, *Sir* John Clotworthy, *Sir* William Waller, *Sir* John Maynard, *Knights, Major General* Massey, *Mr.* Glynn, *Recorder of* London, *Colonel* Walter Long, *Colonel* Harley, *and* Anthony Nichols, *Esq; Members of the House of Commons, jointly or severally as followeth.*

First, THat contrary to the Trust reposed in them, the Persons above-named, Members of the House of Commons, have jointly or severally, invaded, infringed, or endeavoured to overthrow the Rights and Liberties of the Subject of this Nation, in arbitrary, violent, or oppressive ways, (and in this case where no pretence was, or could be of the exigence of War, or other necessity, which might justifie or excuse the same) and they have likewise endeavoured by indirect and corrupt Practices to delay and obstruct Justice, to the great damage and prejudice of divers of the poor Commons of *England*, petitioning for the same.

Secondly, That this Army being, until the middle of *March* last, in a quiet and orderly condition and posture, free from any colour or appearance of Distemper or Disorder, or from Offence to any, and ready (upon reasonable

ble satisfaction in their necessary Dues for Service past) either quietly to have disbanded, or else to have engaged in the Service of *Ireland*, the Persons above-named have jointly or severally, endeavoured by false Informations, Misrepresentations, or scandalous Suggestions against the Army, to beget Misunderstandings, Prejudices, or Jealousies in the Parliament against the Army; and by deluding, surprising, or otherwise abusing the Parliament, to engage the Authority of Parliament to such Proceedings, as to put insufferable Injuries, Abuses, and Provocations upon the Army, whereby to provoke and put the Army into a Distemper, and to disoblige and discourage the same from any further engagement in the Parliament's Service. By all which, and other the like Particulars and Proceedings of theirs, the Peace of the Kingdom hath been imminently endangered, and the Relief of *Ireland* retarded.

Thirdly, That whereas the Parliament might otherwise have had, out of this Army, an intire Force, and answerable to their proportion designed to have engaged for *Ireland* as aforesaid, under their old Officers and Conduct, the Persons above-named, for advancement of their own Ends, Faction, and Design, to the prejudice of the Publick, have jointly or severally, under pretence of the Service of *Ireland*, endeavoured, by such evil Practices as before, to break and pull this Army in pieces, to the weakning of the Power, and endangering of the Safety of Parliament and Kingdom, and have likewise endeavoured to put the Parliament and Kingdom to the trouble, hazard, delay, and vast expence of raising a new Force as for that Service.

Fourthly, That with the breaking of this Army as aforesaid, they have in the like manner endeavoured, under the pretence of the Service of *Ireland*, to raise a new Force, as before, to advance and carry on desperate Designs of their own in *England*, to the prejudice of the Parliament and Publick; and in pursuance of the same, have endeavoured to divert the Forces engaged as for *Ireland*, and unto such their purpose as aforesaid here in *England*; and have in like manner endeavoured to have gained a Power from the Parliament, for themselves, or some of them, of diverting and misimploying those Forces aforesaid, and to raise new Forces under pretence to guard the Parliament; and (not having obtained that) have in like manner endeavoured privately to list and engage Officers and Soldiers, or procure them to be listed, and engaged without the Authority of Parliament, for the raising of and embroiling the Kingdom in a new and bloody War, and to interrupt and hinder the settling and securing the Rights, Liberties, and Peace of the Kingdom, and for the settling, upholding, and protecting of themselves and their Accomplices, in their unjust, oppressive, and factious Designs and Proceedings.

Fifthly, That they have jointly or severally invited, encouraged, abetted, or countenanced divers Reformado's and other Officers and Soldiers, tumultuously and violently to gather together at *Westminster*, to affright and assault the Members of Parliament in passage to and from the House, to offer Violence to the House it self, and by such Violence, Outrages, and Threats, to awe and inforce the Parliament.

The several Heads of Charge the Army will, by such Soldiers as they shall appoint (when the House of Commons shall admit thereof) make good in Particulars each Head against some of the Persons, and some one Head or more against each of the Persons; and shall shortly give in the several Particulars against each Person respectively, which shall be made good by Proofs, the Army desiring to save and reserve to themselves the liberty of exhibiting any further Charge against all or any of the said Persons.

An. 1647.

A Paper delivered to the Right Honourable the Commissioners of Parliament, now with the Army at St. Albans, June 15, 1647. *from His Excellency Sir* Thomas Fairfax, *and the Army under his Command.*

Further Proposals from the Army.

Shewing,

First, That in purſuance of the Repreſentation delivered in, we have prepared the Heads of a Charge againſt divers Perſons, Members of the Houſe of Commons (to whom many Paſſages in the ſaid Repreſentation do relate) which we have delivered in to be ſpeeded to the Parliament, and ſhall (when the Parliament ſhall have admitted thereof) appoint fit Perſons on our and the Kingdom's behalf, to proſecute and make good the ſame.

Secondly, That if the Parliament ſhall be pleaſed to admit theſe things into Debate and Conſideration, at the deſire of the Army, in the behalf of themſelves and the Kingdom, and to proceed thereupon for a general Satisfaction therein; We ſhall then deſire,

I. That the Perſons Impeached in the ſaid Charge may be forthwith ſuſpended from ſitting in the Houſe, without which we cannot reaſonably expect ſuch a Proceeding upon any the things we have propoſed, as may probably bring the ſame to an happy or timely Iſſue to the Kingdom or our ſelves, or as may prevent the preſent Deſigns and Practices, ſo imminently indangering the Peace of this Nation, if thoſe ſame Perſons (who have notoriouſly appeared moſt active in all the late Proceedings, to the prejudice and provocation of the Army, and hazarding thus far the Peace of the Kingdom) ſhall continue in the ſame Power, Judges of thoſe things relating to the Armies Satisfaction, and Peace of the Kingdom.

II. That there maybe a Month's Pay immediately ſent down to the Army, for a preſent Supply, out of which the Army ſhall pay fourteen Days Quarter for time to come, and the other fourteen Days Pay ſhall be accompted as part of Arrears. And to this we muſt deſire a preſent Reſolution to be with us on *Thurſday* next by Noon at fartheſt.

III. That if the Officers and Soldiers of the Army, who have engaged for *Ireland*, or thoſe who have deſerted the Army and come to *London*, have ſince then received more than a Month's Pay, there may be ſo much more Money ſent down to the Army (above the Month's Pay aforementioned) as may make up that Month's Pay to the Army equal to what ſuch Officers and Soldiers have ſo received at *London* or elſewhere.

IV. That no Officers or Soldiers who have ſo deſerted the Army, ſhall have any more paid them as for Arrears, until the reſt of the Army ſhall firſt be ſatisfied in point of Arrears.

V. Whereas there have been ſeveral Deſigns and Endeavours, without Authority from the Parliament, to raiſe and liſt new Forces within this Kingdom, to draw together the Forces engaged for *Ireland*, and march them towards *London*; and other ſecret Practices to engage the Kingdom in a ſecond War. We further deſire, That during the Debate and Tranſaction of this buſineſs betwixt the Parliament and the Army, the Parliament would not ſuffer any new Forces to be raiſed within this Kingdom, or any Forces to be invited or admitted out of any other Kingdom to this; or any thing elſe to be done, that may carry the face of a new War, or Preparations thereunto, which may endanger or interrupt the preſent Proceedings to the ſettlement of the Liberties and Peace of this Kingdom.

VI. That the Parliament would be pleaſed, without delay, to put the things contained in our ſeveral Repreſentations and Papers already given in, into a ſpeedy way of Reſolution and Diſpatch, the preſent poſture and condition

dition of the Kingdom and Army; as also of His Majesty himself, not admitting delays.

Signed, St. Albans, June 17, 1647. *By the Appointment of His Excellency Sir* Thomas Fairfax, *and Soldiers of the Army under his Command.*

They speak for themselves in the House.

After the reading of the Charge, &c. the Members severally made some Defence thereunto, and desired it might be put into a speedy way of Tryal, the further Consideration thereof was put off till another Day.

The City Commissioners are returned from the Army, and give an Account to the Parliament.

The House then also understood, that the Commissioners for the City of *London* were returned from St. *Albans*, and that a Committee from the Common-Council were come to the House, to acquaint them what was done; whereupon they were called in, and related to the House the whole Transaction betwixt the General and Commissioners for the City; and also that the Common-Council had appointed further to be done in the same; all which was well approved of by the House, and Thanks returned them, desiring them to go on in this great business of Mediation betwixt the Army, Parliament, and City.

This Day at St. *Albans* two Petitions were presented to the General, from the Counties of *Bucks* and *Hertford*; that of *Bucks* being accompanied with a Hundred of the Petitioners, and above a Thousand Subscriptions, at the delivery whereof, the Presenter made a Speech to his Excellency, which is annexed to the Petition. See them both at large, as follows, *viz.*

To his Excellency Sir *Thomas Fairfax*, Knight, Captain-General of the Forces raised for defence of the Kingdom.

The Humble Petition of the Inhabitants of the County of Bucks.

May it please your Excellency,

June 15. Bucks *Petition to the General, against disaffected Persons to the Army, who are for disbanding.*

We bless God for you, as the Instrument whom he hath raised up, and made eminent in putting an end to the sad and dreadful War, wherein this Kingdom was involved not many Months since. Our Eyes are still upon you, and our Prayers for you, That God would crown your Labours with an happy Period of our Miseries, ending in the enjoyment of our native Liberties, which are the things we have chosen our Fellow-Subjects, serving in Parliament to obtain for us. They are the Things for which we have adventured our Lives and Estates freely, being the first County that appeared for them.

They are the Things we have so often petitioned for, and could not have so much as expected a delay of Answer to these our just Desires.

But to our Grief we speak it, we have been rejected, and are become hopeless of Satisfaction, by some Men who have not only prevailed, in discountenancing our just Petitions (the proper way of the Subjects Address) but have almost made it a Fault for the Subjects to petition even for things that are due to them, by common Birth-right and the Law of the Kingdom, and which frequently have been confirmed unto us by several Ordinances and Declarations of Parliament. We are not ignorant, that even some Men amongst them, whom in due time we shall not stick to name, are such as by their subtle slights have endeavoured to render your Army odious to the Parliament and Kingdom, which, rather than they shall not obtain, they will not stick to enflame the Kingdom in a second unnecessary and unjust War; that being the only obstacle to their wicked Designs, and the only help under God left us of having a firm Peace settled in this Kingdom.

These things being come to this pass, we take upon us the boldness to beseech your Excellency, you being a Person whom your Justice, Courage, Fide-

22 *Caroli* I. Fidelity, and Zeal for the common Good, have made eminent, and given so great an Interest in the Hearts and Affections of all Men, who have any sense of their common Good and just Liberties; that you will be pleased to mediate on our behalf to the Honourable Court of Parliament, for the obtaining of our so dear and near Concernments, without the Enjoyment whereof even our Lives will be uncomfortable to us.

And although this our Address may seem strange or hazardous unto you, yet we doubt not but the Justice of our Desires will preserve you. As for our own parts, we are resolved in the Mediation thereof, to assist you to the utmost of our Powers, &c.

This Petition of the County of *Buckingham* was presented to his Excellency at St. *Albans*, the 15*th* of *June* present, by about one hundred of the Petitioners, with the Subscription of about one thousand of the Inhabitants of that County thereunto. At the delivery whereof the Presenter expressed himself to His Excellency as followeth.

The Presenter's Speech to the General at the Delivery of Bucks *Petition against Disbanding.*

May it please your Excellency,

APprehending a necessity for the sudden furtherance of all lawful means, which may conduce to the removing our Counties and the Kingdom's Grievances, this our present Address unto your Excellency is not so general as otherwise it might have been; yet we are confident we may fully discharge our Countries real and high esteem of your unwearied and faithful Endeavours for the Kingdom's Peace. And if your Excellency shall further please to improve your utmost Interest in the Honourable Court of Parliament for the crowning of your former Atchievements with the future freedom of our Nation, we and our Posterities shall acknowledge you. And if any disaffected to the common Good shall endeavour, by means hereof, to render your Person and Army odious to the Parliament or Kingdom, we cannot but look upon that as an Injury of common Concernment, and them as Enemies to the publick Peace. And none shall be more ready to bring such to the legal and just deserved Censures than we, who have in this Petition, which we humbly present unto you, subscribed by our selves, yours and the Kingdom's faithful Servants.

Listing to raise Forces annulled.

Die Mercuri, 16 *Junii,* 1647.

June 16.

Votes to draw Forces together made void.

ORdered by the Lords and Commons assembled in Parliament, That the several Orders made by the Committee of Lords and Commons, for the Safety of the Kingdom, for the listing and drawing together of any of the Forces of the several Counties, be and are hereby annulled and made void.

Parliament's Militia made void; and their Orders to list Forces made void.

Ordered by the Lords and Commons assembled in Parliament, That the Order of the Committee of Lords and Commons, and of the Committee of the Militia of the City of *London*, of the Twelfth of this Instant *June*, 1647. desiring Colonel *Dalbeere*, and some other Colonels, to bring in Lists of the Names and Qualities of such Gentlemen and Reformado Officers as they shall find willing to engage in the Service of the Parliament, be and is hereby annulled and made void.

Ordered by the Lords assembled in Parliament, That these Orders be forthwith printed and published.

June 16. Scots *Commissioners to go to the King.*

A Letter this Day came from the *Scots* Commissioners, desiring that some of them may have the Pass of both Houses to go to His Majesty, which was assented unto. The Lord *Lauderdale* in particular was ordered to have the Speaker's Pass, with his Retinue, to go to the King.

The

The Question was put, that His Excellency's Army shall have a Month's Pay, in part of three Months Pay, for disbanding or engaging the Army for *Ireland*.

A Months Pay for the Army. Removing 40 Miles distance, and 3 Months at disbanding.

A Letter was ordered to be sent to the General, to require him to retreat forty Miles from the City of *London* with his Army.

A Letter was ordered to be sent to the Parliament's Commissioners in the Army, to acquaint them, that the House had ordered a Month's Pay to his Excellency's Army as aforesaid.

Sir Rob. Pye's *Troops in* Kent *disorderly.*

A Letter this Day came from Colonel *Blunt*, at Midnight, from *Deptford*, complaining much of some Misdemeanors of Colonel Sir *Robert Pye*'s Forces in the County of *Kent*; which was read this Day, and ordered, that these Misdemeanors should be referred to a Committee, who were to give Order to punish the Offenders, and to take care these Forces be quarter'd in that County for the best ease thereof.

Indempnity to Deserters of the Army.

An Ordinance was read for the Indempnity of those Forces that have deserted the Army, and upon the Question was assented unto.

Pay to Colonel Rossiter's *Regiment.*

Colonel *Rossiter*'s Regiment was ordered to have their Monthly Pay to the Army to be paid by other Hands, and not sent down with the Armies Pay.

Newcastle *and* Tinmouth

That the Forces at *Tinmouth* and *Newcastle* shall have a Month's Pay in like manner as the Army hath.

The Declaration and Charge of the Army were read again this Day, and ordered to be read again to morrow Morning.

This Day also another Petition was presented to the General at St. *Albans*, from the County of *Hertford*, which follows at large, *viz.*

To the Right Honourable His Excellency Sir Thomas Fairfax, *Captain-General of the Forces raised for the Preservation of the Kingdom.*

The Humble Petition of divers Knights, Gentlemen, Freeholders, and other Inhabitants of the County of *Hertford.*

May it please your Excellency,

June 16.

WE do, with much Thankfulness, acknowledge the great Care and Pains that have been undergone by those our Faithful and well-betrusted Worthies of Parliament, who even in the saddest of Times, when deserted by many of their own Members, have not spared the hazard of their Lives, Estates, and Fortunes, for the preservation of the just Liberties, Immunities and Franchises of the Free-born Subjects of this Kingdom, being desperately and strongly invaded by a powerful and malignant Party; and have also made many solemn Protestations and Declarations of their Aims, Intentions, and Purposes, whereby we have been greatly encouraged to yield all chearful and due assistance in so necessary a Work; yet now, to our great Grief, observing, by reason (as we conceive) of the Machinations and Contrivances, of some desperately disaffected to the Weal and Quiet of the Publick in general, and to the Honour of your ever honoured Army in particular, many Obstructions do daily intervene and fall in, whereby both they and we, notwithstanding the still real Intentions of our forenamed Worthies, there is yet clearly debarred the fruition of those our often promised, much wished for, pray'd for, fought for, Rights and Privileges, whereof we had well-hoped long since to have been Partakers.

Wherefore we your said Petitioners do most humbly intreat and beseech your Excellency (whom God hath eminently and highly honoured, and we well know to have a tender and compassionate Care over the distressed of this miserabe afflicted Kingdom) to use your utmost endeavours, and with all

An. 1647. expedition before the disbanding of the Army now under your Excellency's Command, those Firebrands and Incendiaries, who have endeavoured to raise new Divisions in the Kingdom, or by their slanderous Tongues to fix undeserved Reproaches on the Army, may be brought to condign Punishment; and that we your Petitioners, with the rest of your faithful Brethren in the Kingdom, may have a certain Relief in our Grievances hereunto annexed.

And as in Duty bound we shall not fail to yield our best Assistance, with our Persons, Purses, and Prayers, &c.

First, That divers Counties and Corporations in this Kingdom, *viz. Devon, Cornwal, Wales*, &c. formerly in open Hostility, and for the present, wholly disaffected to the Proceedings of Parliament, have notwithstanding retained equally, with the most cordial to the State, their Privileges of electing Members, a Thing very destructive to the Safety of the Common-wealth, which is the chief end of Parliaments, and one main cause of many present Grievances; whereof we desire, that such Elections may be revoked, and the Places declared uncapable of any such Privilege during the Sessions of this Parliament, or until such time as it shall appear, that their former Enmity and Rancour against the Parliament be laid aside.

Secondly, That whereas the Honourable Houses have raised up the Expectations of the Well-affected, by promising the Improvement of their Time and Care, to apply Remedies against the oppressing Evils, as appears more fully in their Declaration of the 17*th* of *April*, 1646. yet the said Commons have, to their great Grief, been frustrated of their hopes; and instead of being relieved, have (to their great Grief) been vexed, imprisoned, and otherways molested.

Thirdly, Our Petitions to the Parliament are not as in former Times either received or answered, whereby no Redress can be had to our pressing Grievances, as in particular those against Tythes: That for the Enlargement of our Fellow-Commoners, long (and as we humbly conceive) unduly detained in Prison.

Fourthly, The putting in of the malignant Neuters, and Persons who have not shewn any Affection, or done any Service for the Parliament during these Troubles that have lain upon the Kingdom, into Places of Honour, Trust, and Profit; as Governours of Towns, Forts, Justices of Peace, Commissioners of Excise, Committees of Accompts, *&c.* whereby the most cordial Friends of the Parliament are slighted, disregarded, and upon very slender Causes Indicted, Committed, Imprisoned.

Fifthly, That the Body of the Kingdom consisting much of Copyholders, who have for the most part been very cordial and faithful to the Parliament, may not now be left Finable at the Will of the Lords, in regard the generality of them have been very Malignant, and much disaffected to Parliamentary, or thorough Reformation, and from whom they cannot but expect very severe Dealing.

Sixthly, That all Men who have received any State Moneys, as well Parliament-Men as others, may be called to an account for such Moneys; and that Committees, not as now for the most part Neuters and Malignants, but of approved Fidelity, may be elected for that purpose.

Seventhly, That one *Cordwell*, a Man of a most notorious lewd Life and Conversation, and withal, a most desperate Malignant, did procure a Warrant for the apprehending three Soldiers, under the Command of Colonel *Alban Cox*, brought them before one *King* of St *Albans*, a Justice of Peace, where their said Colonel did appear with them, and made it very clear and apparent to the said Justice, That what they did was by Command from their Captain; and no more than what was expresly contained within their Ordinances, which the said Justice did acknowledge, and was fully satisfied in, their Ordinances authorising them thereunto; yet notwithstanding the said

King

King would have committed them to *Hertford* Goal, had not their said Colonel became bound for their appearing the next Sessions; and the said *Cordwell* did prefer a Bill of Indictment against them; and had it not been for two or three honest Men that served of the Grand-Jury, the said Bill had been found, to the great peril of their Lives, there being but little Favour or Mercy to be had for poor Soldiers, by the Justices of our County, &c. 22 *Caroli* I.

This Petition of the County of *Hertford* was presented to his Excellency at St. *Albans*, the 16*th* of *June* present, by above two hundred Knights, Gentlemen, and Freeholders of the County of *Hertford*, with the Subscription of above one thousand two hundred of the Inhabitants.

June 18, 1647. This Day Mr. *Blackwell*, and Mr. *Ashhurst* were ordered to be added to Mr. *Greenhill* and Mr. *Pocock*, for the receiving and issuing of the Monies appointed for the Officers now in Town.

Treasurers added to pay the Soldiers.

That Colonel *Gore*, Mr. *Arthur Bickerstaffe*, Mr. *James Story*, and Mr. *Maximilian Bard* be appointed Treasurers for receiving and issuing out the Monies to the common Soldiers.

That one Peny in the Pound be allowed to the Treasurers, for receiving and issuing out these Monies.

That the Field-Officers appointed by the House, or any three of them, and the three Auditors, or any one of them, shall have Power to sign the Warrants for Officers.

A Guard for the Treasurers.

That the Militia of the City of *London* should be desired to appoint two Companies of the Trained-Bands, to guard the Treasurers for issuing and paying the Monies to the Officers and Soldiers aforesaid.

A Letter this Day came from the Commissioners of Parliament at St. *Albans*, with two Petitions inclosed, the one from the County of *Bucks*, and another from the County of *Hertford*, which were presented on *Wednesday* and *Thursday* last to His Excellency, the effect whereof we gave you before.

City's Letter to the General, not approved of by the House.

The House was informed, That many of the Common-Council of the City were at the Door, they were called in, and presented a Letter to the House for their Approbation, to be sent to Sir *Thomas Fairfax*. The House had much Debate thereof, and some part thereof the House approved not of; therefore ordered, that some Members of the House should go out to the Petitioners, and acquaint them that the House cannot approve of the sending this Letter.

City sends another Letter to the Army.

June 19. The Common-Council of *London* came down again to the House of Commons, and desired their Approbation to a second Letter to the Army. This Business took up much Dispute, and was the Business of the whole Day; and at last it was ordered, that the Common-Council of the City of *London* should be left to themselves, to give what Answer, and write what Letters they think fit to Sir *Thomas Fairfax*, giving an Account thereof to the Houses.

The Common-Council accordingly agreed on a further Letter, and sent it to the General and Officers, by their Commissioners, to St. *Albans*, this Afternoon.

The King to be removed to Richmond.

A Letter this Day came from the Commissioners attending His Majesty, that they had sent to Sir *Thomas Fairfax*, to know his Answer to the Votes of both Houses, concerning the disposal of the

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Pay for Officers omitted out of the List.

Lord-Mayor to suppress Tumults.

Army at St. Albans.

The King at Newmarket.

Mr. Peters *discoursed with the King.*

Major Bosvil's *escape in a Woman's Apparel.*

Person of his Majesty to *Richmond*, which was communicated by a Message from the Lords, to the House of Commons.

A List of additional Officers that are to receive the Benefit of the monthly Pay, which was omitted out of the former List, was this Day ordered to be approved of, and to receive the Benefit of the general Order.

The Lord-Mayor of *London*, with the Concurrence of the Aldermen and Common-Council, published an Order this Day to command the *Trained-Bands and Auxiliaries* to appear punctually at their Colours (taking notice of their former backwardness) for the *suppressing of Tumults*, or other unlawful Assemblies in the City.

The Head Quarters of the Army is still at St. *Albans*, and the General. There's no talk of drawing to a Rendezvous nearer *London*, as some would have it; all is very peaceable in the Army, and the Unanimity betwixt Officers and Soldiers to be admired; nor any stop of Trade or Traffick to or from the City of *London*, in any part of the Army, in any kind, as some have suggested. The Month's Pay promised the Army is much wanted, but it was this Day sent from *London* to St. *Albans*.

The King is still at *Newmarket*, very pleasant and chearful, and takes his Recreation daily at Tennis; His Majesty seems to delight much in the Company and Discourse of Cornet *Joyce*, who brought him from *Holmby*, and sent a Messenger to St. *Albans* on purpose for Cornet *Joyce* to come to *Newmarket*.

Mr. *Peters* likewise was at *Newmarket*, and had much Discourse with His Majesty; His Majesty told Mr. *Peters*, that he had often heard talk of him, but did not believe he had that Solidity in him he found by his Discourse, that he would have further Conference with him another time. Mr. *Peters* moved His Majesty to hear him preach, but His Majesty refused.

Major *Bosvil* that brought the Letters to the King from *France*, and was apprehended at *Holmby*, and brought up Prisoner to *Newgate*, and escaped thence in Womens Habit, came this Week to St. *Albans*, and was not at first known or discovered; but upon some intimation who he he was, Guards were set, and watch laid for him, but he got away privately and escaped.

June 16.

The Heads of the present Grievances of the County of Glamorgan, *declaring the cause of their late Rising and taking up Arms. Published for the Satisfaction of all other Counties of* England *and* Wales, *who groan under the same, or like burthens of Oppression and Tyranny, now exercised by that Arbitrary Power and Authority pretended to be derived from the Two Houses of Parliament, throughout all His Majesty's Dominions, by those who stile themselves Committees, contrary to Justice, and the known Laws of the Land,* viz.

First, THat their Rising was against all Committees, not as being Invested with a Power from the Parliament, but as abusing that Power and Trust in them reposed by the Parliament, to the prejudice of this County in particular, and His Majesty's Subjects in general, contrary to the known Laws of the Kingdom.

Secondly, By making all Men of considerable Estates Delinquents, after an arbitrary and illegal manner, bringing others out of other Countries, meerly out of Faction to out-vote the rest of the Gentlemen, who out of a just sense of our Sufferings, desire to spare their almost undone Country.

Thirdly,

Thirdly, In that they being desired to give an account of a vast Sum of Money raised from the Country, the same was denied; and if any presumed to speak to them in the behalf of the oppressed Country, they were presently made Delinquents, and their Designs voted Scandalous and Malignant; by which we lost all our Liberty of free-born Subjects.

Fourthly, That they, after the arbitrary way, have continued Garisons and Contributions to their own private Ends, contrary to past Ordinances of Parliament. That they have renewed an old Order, which was for the 25*th* part, for the Relief of *Ireland*, intended but for one Year, and was expired before the Reducement of this Country, converting the Money thus raised to their own private Uses.

Fifthly, That the Committees have set an Order on foot, with Warrants directed forth for the Levying of 500 *l.* and odd Money, pretended to be for the Loss in *Ireland*; which was converted to their own Use.

Sixthly, That they, in all their Sequestrations made in the Name, and to the Use of the State, having sequestred the Estates of most of the chief Gentlemen of that County, have not only enriched themselves thereby, but their Servants and Retainers, who, as well as their Masters, insult over the Gentry. The Committees having never returned one Peny to the Parliament or State, out of all Sums they received.

Seventhly, They have committed some of the Clergy, and have sequestred and forbidden to pay Tythes to all the ablest and sufficientest Divines in the County, for no other Cause, but that they out of their tender Consciences, refused to take such Oaths as were tendred them. And the Committees did not provide any other to discharge their Cures and Places.

Eighthly, The Committees have often given out in Speeches, That if they saw any likelihood of any Power to come against them, they would be sure to secure the Persons of all the Gentry, that they thought would be active, and send them on Ship-board, a Prison (as they use it) as bad as the *Spanish-Inquisition*, and at that present there were private Warrants issued for the seizing on the Persons of some of the Gentry, and Horse and Foot employed for that purpose.

Ninthly, The Gentry sent a Letter unto Major-General *Langhorne*, by Major *Weekes*, expressing these their Grievances, and their readiness to pay One Thousand Three Hundred Pounds *per* Month, for the maintenance of his Soldiers, as they had formerly done; and that their Rising was not to oppose him or his Army, but only to free themselves from the servile Yoke of the Committees, and for the Security of their Persons. Instead of Answer to this Letter, Major-General *Langhorne* clapt up the Gentleman, and detains him yet Prisoner.

Tenthly, The Committees did exact as a Bribe, Twenty Pounds of a Reverend, Learned, and painful Divine, for sparing to make him a Delinquent. And the Committees did threaten a Lunatick Man's Wife, to make her Husband a Delinquent, unless she would give them Thirty Pounds; which the Gentlewoman gave, lest her Husband should be troubled in that Case. And another Man but saying, *I pray God mend these Times*, was threatned to be made a Delinquent.

Eleventhly, And those who were sequestred, if their Rents were not punctually paid on the Day they became due, the Committee would send their Agents with a Guard of Musqueteers, and there leave them at Free-Quarter.

The several particular Grievances before-mentioned, and many others of the like nature, the Gentlemen will make good, by sufficient credible Witnesses upon Oath.

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A rising in Arms in Glamorganshire, *for the King and Sir* Thomas Fairfax.

This Day, being *Monday*, *June* 21. in the House of Commons Letters were read from Major-General *Langhorne*, concerning divers that rise in *Glamorganshire*, and other Parts of *Wales*, who declare themselves for the King and Sir *Thomas Fairfax*; the chief Promoters whereof are said to be Sir *Edward Thomas*, Baronet, Sir *Richard Basset*, Sir *Henry Stradling*, Major-General *Stradling*, Colonel *Kames*, and others, who rumour their Forces to be about a Thousand in all *Wales*, ready to join, but Major-General *Langhorne* is drawing Forces to suppress them in *Glamorganshire*, with those Foot that he hath, and intended speedily to march to them with about Six Hundred Horse. These Letters were ordered to be taken into Consideration the next Day.

Mutiny in Yorkshire.

Another Letter was read from Major-General *Poyntz*, from *York*, desiring larger Commission to stop the Mutinying of the Soldiers, and advertising what Engagements he had undertaken to satisfie them, and desiring Monies: Which was also ordered to be taken into Consideration the next Day.

Votes for the King's going to Richmond.

A Letter was agreed upon this Day, and sent by Sir *Peter Killegrew* to the Commissioners at *Newmarket*; and a Letter to the King, with the Votes inclosed for his going to *Richmond*.

Undue Elections and their Qualifications voted.

The Representation of the Army was again read, and the House of Commons insisted upon the first Branch, *viz.* That the Houses may be *speedily purged* of such Members, as for their Delinquency, or for Corruptions, or abuse to the State, or undue Elections, ought not to sit there; whereof, as was said, the late Elections in *Cornwal*, *Wales*, and other Parts of the Kingdom afford many Examples.

This Branch the House went wholly through, and made several Votes, as followeth.

1. That no Person that hath been in actual War against the Parliament, or hath acted by the Commission of Array, or voluntarily, either directly or indirectly aided the King in this War against the Parliament, or received Pardon from the King, shall presume to sit in the House.

2. That if any such shall presume to sit in the House after this Day, who know themselves to be guilty, they shall incur the Displeasure of the House.

3. That the Committee for examining of such Cases be revived; which was compleated to a greater Number.

4. That a Declaration be brought in to publish to the Kingdom, for all such who have any such Charge against any Members, to come in and be heard, and the Committee to report it.

5. That the said Committee bring in their Reports on Friday next, concerning the Examination of those Charges of Delinquency, against those Members which they were appointed to examine.

6. That Sir *Robert Harlow*, and the other Committee for examining of Elections committed to them, bring in their Reports on Monday next.

Ordered all Officers who give false Certificates for their Arrears, shall forfeit the whole.

That 10000 *l.* borrowed of the Treasurers at *Weavers-Hall*, be paid to the common Soldiers, to be repayed out of the Moiety at *Goldsmiths-Hall* (where formerly ordered) with all speed.

The General consents to the King's removal to Richmond.

A Letter was read in the House from his Excellency Sir *Thomas Fairfax*, about the King's Removal from *Newmarket* to *Richmond*, according to the Votes of the House, whereunto his Excellency willingly submitted.

Another

Another Letter was likewise read from the Commissioners with His Majesty at *Newmarket*, about the same business, of the King's Removal, whereunto (they said) His Majesty had also condescended, and named Thursday Morning next to remove from *Newmarket* towards *Richmond*.

Both Houses ordered the speedy fitting and preparing of *Richmond*, for His Majesty's Entertainment and Accommodation.

A Letter was also read in the House from the Agitators of the Army, to the Society of the *Trinity-House*, concerning the Navy; and of their verbal Answer to them. *Agitators to the* Trinity-House.

Ordered that Sir *Robert Pye*'s Troop do not remove their Quarters, or return to the Army, without the Order of both Houses. *Sir* Rob. Pye *his Troop.*

We had this Day from St. *Albans* (as yet the General's Head-Quarters) the Copy of a *Proclamation* by the General, that no Soldier molest any Country-man, their Persons or Goods, in their Marches: And for better Satisfaction, we will give you the Proclamation it self, as followeth. *General's Proclamation against molesting the Country.*

Sir Thomas Fairfax, *Knight, Commander in Chief of the Forces raised by the Parliament.*

WHereas divers Complaints have been made of several Abuses, Disorders, and Misdemeanors lately committed by some Soldiers of this Army, both in their Quarters, and in their Marches through the Countries respectively, contrary to the Laws of War, and tending much to the Dishonour and Prejudice of the Army; they taking liberty thereunto, under pretence of want of Pay: For prevention of the like, and all other Disorders and Abuses that may hereafter happen, to be committed under the same, or any other Pretence, I do hereby strictly charge and command all Soldiers of the Army, Horse and Foot, and all others whom it may concern, not to offer any Violence, or do any Prejudice at all to any Country-man, or any other whomsoever (in their Person or Goods) either in their Quarters, or upon their March through the Countries respectively, as they tender the Honour of the Army, and as they tender the avoiding of the severest Punishment that may be inflicted upon such Offenders by Council of War. And I do hereby further charge and require all Officers of the Army, both Horse and Foot, to use their utmost Endeavours to prevent the respective Soldiers under their Commands, from committing any such Disorders, and to question such Soldiers as shall speak any thing in derogation to the Authority of the Parliament, and to bring all such as are Offenders to condign Punishment for the same.

To the Martial General, to be published at the Head of every Regiment, both of Horse, Foot, and Dragoons, by beat of Drum, and sound of Trumpet.

Tho. Fairfax.

This Day, being *June* 22. more Letters were read to both Houses, from the General, and Parliament's Commissioners at St. *Albans*, giving to understand, that the Monthly Pay for the Army came thither Saturday Night late.

The same Day also came the Commissioners for *London*, and presented a Letter to the General, the Votes of both Houses, for the Armies *removing Forty Miles* from *London:* His Excellency hath received and returned Answer, that he should very shortly have a Counsel of War about the same, and would then return a positive and satisfactory Answer. *To remove* 40 *Miles from* London.

The House this Day had Debate of the Business against Judge *Jenkins*, Prisoner in the *Tower*, and appointed Mr. Solicitor *St. Johns* to *Judge* Jenkins.

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to prosecute against them in the *King's-Bench*, according to Law, this Term, and the Publishers of his Books. And Mr. Sergeant *Jermin*, Mr. *Bradshaw*, and Mr. *Pryn*, ordered to prepare the Matter of Fact against him, and Mr. *Beck* to be the Solicitor.

A Months Pay for the Northern *Forces.*

The Letters from Major-General *Poyntz* were again read, and ordered thereupon that 10000 *l.* be paid out of the Monies in *Weavers-Hall*, towards the Payment of a Month's Pay to the Forces of the *Northern* Association: And that so much as will make up this 10000 *l.* a Month, may be advanced by the Committee of the *North*, out of the *Northern* Sequestrations.

That Major-General *Poyntz* do secure the Persons of such as shall come into those Parts for the disturbance of his Forces. And that he take care for the quieting of his Regiments of Horse.

Glamorganshire.

The Letters from Major-General *Langhorne* were likewise resumed, and ordered that some Members of the House should give in the Names of such of the Insurrectors as are Justices of the Peace, to the Commissioners of the Great Seal, that they may be put out.

Major General Langhorne.

That a Copy of Major-General *Langhorne*'s Letters be sent to the General, of whose Care to prevent such Distempers we understood further thus much, That his Excellency had writ Letters and sent to *Glamorganshire*, desiring them to return to their Homes, and lay down their Arms, expressing further his great Dislike of such Risings.

Provisions of War for Wales

The House ordered twenty Barrels of Powder, Match, and Bullet, proportionable for the Supply of *Cordiffe*-Castle. And twenty Barrels of Powder, with Match and Bullet, for Major-General *Langhorne*'s Forces.

Ordinance for 60000 l. per Mensem.

Both Houses this Day passed the Ordinance for raising 60000 *l.* ℔ *Mensem* towards the maintenance of the Forces in this Kingdom, and for the Service of *Ireland.*

The Proportion for every County.

The respective Sums charged upon each County by the said Ordinance to be paid monthly is as followeth, *viz.* upon the County of *Bedford*, the monthly Sum of 673 *l.* 13 *s.* 11 *d.* 3 *q.* upon the County of *Berks*, the monthly Sum of 683 *l.* 15 *s.* 9 *d.* upon the County of *Buckingham*, the monthly Sum of 815 *l.* 8 *s.* upon the County of *Cambridge*, the monthly Sum of 1462 *l.* 16 *s.* 6 *d.* 1 *q.* upon the Isle of *Ely* the monthly Sum of 490 *l.* 18 *s.* 1 *q.* upon the County of *Chester*, the monthly Sum of 345 *l.* 4 *s.* 11 *d.* 1 *q.* upon the City and County of *Chester*, the monthly Sum of 39 *l.* 13 *s.* 11 *d.* upon the County of *Cornwall*, the monthly Sum of 1228 *l.* 5 *s.* 6 *d.* 1 *q.* upon the County of *Cumberland*, the monthly Sum of 342 *l.* 9 *s.* 4 *d.* upon the County of *Devon*, the monthly Sum of upon the City and County of *Exon*, the monthly Sum of 117 *l.* 9 *s.* 2 *d.* 1 *q.* upon the County of *Dorset*, the monthly Sum of 935 *l.* 10 *s.* 10 *d.* 3 *q.* upon the Town and County of *Pool*, the monthly Sum of 9 *l.* 16 *s.* 7 *d.* upon the County of *Durham*, the Sum of 159 *l.* 2 *s.* upon the County of *York*, the monthly Sum of upon the County of *Kingston upon Hull*, the monthly Sum of 50 *l.* 18 *s.* 9 *d.* upon the County of *Essex*, the monthly Sum of 4547 *l.* 9 *s.* 5 *d.* upon the County of *Gloucester*, the monthly Sum of 1212 *l.* 3 *s.* 5 *d.* upon the City and County of *Gloucester*, the monthly Sum of 134 *l.* 13 *s.* 9 *d.* upon the County of *Hertford*, the monthly Sum of 168 *l.* 2 *s.* 3 *d.* upon the County of *Hereford*, the monthly Sum of 1638 *l.* 15 *s.* 5 *d.* 3 *q.* upon the County of *Huntington*, the monthly Sum of 687 *l.* 3 *s.* 5 *d.* 3 *q.* upon the County of *Kent*, with the City and County of *Canterbury*, and the *Cinque-Ports* within the County of *Kent*, the monthly Sum of

of 4763 *l.* 1 *s.* 1 *d.* upon the County of *Lancaster*, the monthly Sum of 529 *l.* 3 *s.* 2 *d.* upon the County of *Leicester*, the monthly Sum of 467 *l.* 9 *s.* 10 *d. ob.* upon the County of *Lincoln*, the monthly Sum of 153 *l.* 8 *s.* 1 *d. ob.* upon the City and County of *Lincoln*, the monthly Sum of 64 *l.* 12 *s.* 9 *d. ob.* upon the City of *London*, the monthly Sum of 3907 *l.* 19 *s.* 2 *d.* 3 *q.* upon the County of *Middlesex*, City and Liberty of *Westminster*, the monthly Sum of 1521 *l.* 17 *s.* 9 *d.* upon the County of *Monmouth*, the monthly Sum of 192 *l.* 19 *s.* 1 *d.* upon the County of *Northampton*, the monthly Sum of 591 *l.* 11 *s.* 11 *d.* 1 *q.* upon the County of *Nottingham*, the monthly Sum of 353 *l.* 19 *s.* 3 *d.* upon the Town and County of *Nottingham*, the monthly Sum of 11 *l.* 14 *s.* 6 *d.* upon the County of *Norfolk*, the monthly Sum of 4763 *l.* 1 *s.* 1 *d.* upon the City and County of *Norwich*, the monthly Sum of 246 *l.* 11 *s.* 5 *d.* 1 *q.* upon the County of *Northumberland*, the monthly Sum of 100 *l.* 16 *s.* 10 *d.* 1 *q.* upon the Town of *Newcastle*, the monthly Sum of 29 *l.* 17 *s.* upon the County of *Oxford*, the monthly Sum of 779 *l.* 13 *s.* 11 *d.* 1 *q.* upon the County of *Rutland*, the monthly Sum of 128 *l.* 1 *s.* 1 *q.* upon the County of *Salop*, the monthly Sum of 553 *l.* 19 *s.* 9 *d.* 3 *q.* upon the County of *Stafford*, the monthly Sum of 454 *l.* 15 *s.* 4 *d.* 3 *q.* upon the Town of *Litchfield*, the monthly Sum of 10 *l.* 14 *s.* 8 *d.* upon the County of *Somerset*, the monthly Sum of 2050 *l.* 11 *s.* 5 *d.* upon the City and County of *Bristol*, the monthly Sum of 112 *l.* 12 *s.* 10 *d. ob.* upon the County of *Southampton*, the monthly Sum of 1514 *l.* 4 *s.* 5 *d.* 1 *q.* upon the Town and County of *Southampton*, the monthly Sum of 62 *l.* 8 *s.* 8 *d.* 1 *q.* upon the Isle of *Wight*, the monthly Sum of 208 *l.* 2 *s.* 6 *d.* 1 *q.* upon the County of *Suffolk*, the monthly Sum of 4763 *l.* 1 *s.* 1 *d.* upon the County of *Surry*, with the Borough of *Southwark*, the monthly Sum of 1347 *l.* 8 *s.* upon the County of *Sussex*, and the Parts within the County of *Sussex*, the monthly Sum of 2646 *l.* 2 *s.* 9 *d.* 3 *q.* upon the County of *Warwick*, the monthly Sum of 621 *l.* 3 *s. ob.* 1 *q.* upon the City and County of *Coventry*, the monthly Sum of 679 *l.* 10 *s.* upon the County of *Worcester*, the monthly Sum of 704 *l.* 18 *s. ob.* upon the City of *Worcester*, the monthly Sum of 43 *l.* 5 *s.* 6 *d.* 1 *q.* upon the County of *Wilts*, the monthly Sum of 1421 *l.* 18 *s.* 9 *d.* 3 *q.* upon the County of *Westmorland*, the monthly Sum of 66 *l.* 9 *s.* 2 *d. ob.* upon the Isle of *Anglesey*, the monthly Sum of 50 *l.* 17 *s.* 10 *d.* upon the County of *Cardigan*, the monthly Sum of 122 *l.* 9 *s.* 10 *d.* 3 *q.* upon the County of *Carmarthen*, the monthly Sum of 100 *l.* 15 *s.* 6 *d.* upon the County of *Carnarvan*, the monthly Sum of 42 *l.* 6 *s.* 5 *d.* 3 *q.* upon the County of *Denbigh*, the monthly Sum of 54 *l.* 6 *s.* 10 *d.* upon the County of *Flint*, the monthly Sum of 33 *l.* 9 *s.* 4 *d. ob.* upon the County of *Glamorgan*, the monthly Sum of 131 *l.* 15 *s.* 10 *d.* upon the County of *Merioneth*, the monthly Sum of 31 *l.* 11 *s.* 6 *d.* upon the County of *Montgomery*, the monthly Sum of 123 *l.* 2 *s.* 8 *d.* 1 *q.* upon the County of *Pembroke*, the monthly Sum of 116 *l.* 4 *s.* 7 *d.* 1 *q.* upon the County of *Radnor*, the monthly Sum of 73 *l.* 2 *s.* 7 *d. ob.* upon the Town of *Hereford West*, the monthly Sum of 10 *l.* 2 *s.* 6 *d.* 3 *q.*

And this Ordinance is to continue for a Year ensuing, *viz.* from the 25*th* of *March* last, to the 25*th* of *March*, 1648.

On *June* 23, 1647. The Commons received a Letter from Colonel *Birch*, a Member of their House, that in his passage towards *Hereford*, he fell into the Quarters of some of Colonel *Rainsborough*'s Forces,

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Colonel Birch *staid and released.*

Forces, and (upon an Order to stop Officers in Commission that pass the Guards) he was sent to the General.

The House debated the Business, and appointed a Letter to be sent from the House to his Excellency, that if he was not freed, he might be forthwith discharged, to prosecute the Business in *Ireland*; and not long after this we understand that Colonel *Birch* was discharged by the General, and used with great Respect.

Debate about the 11 *Members.*

The Commons this Day went on upon the Representation of the Army, and insisted upon the second Branch; in which fell the Charge against the Eleven Members of their House; it took up a long Debate.

Some Motions were made, about sending Commissioners to the Army about it: Other Motions about a Letter to be sent to the General; and at last it was resolved upon the Question, That the House adjourn for an Hour; and a Committee in the mean time to draw up a Letter to be sent to his Excellency, that the House is ready to receive from him any particular Charge against the said Members: And accordingly a Letter was brought in, passed, and sent to his Excellency, That what shall be particularly charged against their Members, with Testimony and Witnesses, shall be received, and the House to proceed in a legal way therein.

The Question was put, whether to Morrow Morning the House should debate the third Proposition thereof, and it passed in the Negative.

The fourth Proposition was carried also in the Negative.

And the fifth Proposition was ordered to be debated to Morrow.

The Army's real Intentions to the City.

The Committee of Common-Council returned this Night from the Army, and brought a Letter from the General further no satisfie the City of the real Intentions of the Army towards them.

City to send to the General for a good Correspondence.

June 24, 1647. The Common-Council of this City came this Day to the House, and acquainted them with a Remonstrance and a Letter sent from his Excellency's Army; and in prosecution thereof they desired, 1*st*. That they may have further leave to send some of their Members again to the Army, to hold a good Correspondence, as Commissioners for the City, with them.

2. That all Forces listed by Order of the Committee of Safety, and the Committee of the Militia, may be discharged.

3. That the discontented reduced Officers and Soldiers may be put out of the Lines of Communication.

The two first the House upon some Debate agreed.

To the last they ordered, That they had put it into such a way, as they in their Judgments had thought fit.

The Letter from the General, another from the Commissioners of the Army, and the Remonstrance from the Army, were all this Day read and debated. The Remonstrance follows at large, *viz.*

An

An humble Remonstrance from his Excellency Sir Thomas Fairfax, *and the Army under his Command, concerning the present state of Affairs, in relation to themselves and the Kingdom; with their Desires and present Resolutions thereupon.*

Presented to the Commissioners at St. Albans, *to be by them humbly represented to the Parliament.*

OUR Desires, as Soldiers, in behalf of our selves and other Soldiers that have faithfully served the Parliament in this Kingdom, as also our remaining Dissatisfactions in relation thereunto, may be clearly collected out of our several Papers that have been formerly presented to the Parliament concerning the same; to which Particulars we have not yet received any further Satisfaction.

In our last Representation it may appear what our Desires are as Members of the Common-wealth, in behalf of our selves and all others, for the clearing, settling, and securing of the Rights, Liberties, and Peace of the Kingdom, for the Justness, Reasonableness, Necessity, and common Concernment whereof unto all, we dare appeal to the whole Kingdom, and the World; yet we have hitherto received no Answer thereunto, nor can hear of no Consideration taken thereupon, to put the things contained therein into any way of Resolution or Dispatch.

We have since that, in pursuance of the first and second Heads of our Desires in the said Representation, delivered in a Charge against divers Members of the House of Commons, for divers Designs and Practices to the Abuse and Dishonour of the Parliament, the insufferable Injury of the Army, the Infringement of the Rights and Liberties both of Soldiers and Subjects, the breach or hazard of the Peace of this Kingdom, and the hindring of the Relief of *Ireland*, &c. Upon which, though the main things charged, with the mischievous Designs, and further dangerous Consequences of them; as also the constant and continued Activity of all or most of the Persons charged in relation to those things, be for the most part sufficiently and notoriously known, especially to the Parliament it self; yet we find neither any thing done, upon what is so known, nor any way resolved on, or admitted by the Parliament, for the examination or discovery of what is less evident unto them: But rather (as if neither the things charged, nor the present sad Effects, nor future ill Consequences thereof, were at all considerable) the whole business seems to be slighted, past over, or set aside.

Lastly, We did with these deliver in another Paper (whereof here is a Copy annexed) containing divers just and necessary things, which we did desire might be provided for, and done for the better proceeding in the Premises, with more safety to our selves and the Kingdom, and with more assurance or hopes of a timely and happy Issue.

To which things desired (which we think all Men will judge reasonable, just, and necessary) we have yet received no Answer, or Resolution, nor can find any Consideration at all had of them, save that a Month's Pay is sent down for the Army, (whilst those that have deserted the Army, receive at *London* much more) and that some Votes have been passed for annulling the Orders of the Committee (pretended) for Safety, about Lifting of Men, and drawing of Forces together; which Votes we find rendred but vain and illusive, by the continued under-hand Practices of those whom we have charged, and their Accomplices, in lifting and engaging Men for a new War; and by a later Day's Votes, not admitting that the Forces so lifted or engaged, should by publick Order be dismissed or discharged, which, with other things, we cannot but attribute chiefly to the prevalent Instance of the same Persons.

Now whereas we find that our first Desire in the Paper last mentioned (for present suspending the Persons impeached from sitting in the House) is judged by some to be against the Course and Privilege of Parliament, or of ill consequence in the precedent of it, the Charge being but general, and no particular Proof as yet produced to render the Proceedings Legal, we cannot but remind the Parliament,

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1. That as the moſt and many things charged (with the ſad Effects and Conſequences of them) ſo the conſtant and continued activity of all or moſt of the Perſons charged in relation thereunto, in miſinforming, deluding, abuſing, or ſurpriſing the Houſe, and otherwiſe, are ſufficiently known to the Parliament it ſelf, ſo as the Houſe might upon their paſt and preſent Cogniſance of the ſame, moſt juſtly proceed to ſuſpend them, as in many other Caſes upon far leſs occaſions, (which never could have produced ſuch ſad effects to the Kingdom) they have done many other of their Members, meerly for Words ſpoken, or things moved in the Houſe (alledged to be but againſt Order or Cuſtom of the Houſe) and this without any Tryal, Proof, or Charge, but meerly upon the Houſes own Cogniſance of the things, as we could inſtance in many Caſes ſince the Parliament began.

2. Whereas many of the things to which the Charge relates, are things ſpoke, moved, or done in the Houſe, ſo as we have yet no clear way opened, particularly to charge or mention them, or to produce Proofs to them, without ſome pretence againſt us of breach of Privilege; and therefore (though we think no Privilege ought to protect evil Men in doing Wrong to Particulars, or Miſchief to the Publick, yet) we have been hitherto ſo tender of Parliament Privileges, as that we have only remonſtrated the evil of ſuch things done; and ſuppoſing the Houſe to have been (as we did and do believe, and if the way were open, without breach of Privilege, ſhould not doubt to prove it was) ſomeways miſinformed, deluded, ſurpriſed, or otherwiſe abuſed, in thoſe things by evil Members, we have frequently, in former Papers (before the Charge) put the Parliament upon it, (who without colour of breach of Privilege might do it) to find out and diſcover who they were that had ſo abuſed them, and to diſengage the Honour of Parliaments from the evil Practice, and Deſigns of ſuch Incendiaries.

Now ſince the ſame Difficulties or Prejudices be yet in our way (as to the particular Charge or Proof of thoſe things againſt the Members and the Parliament) though ſo often put upon it in our former Papers, yet through the powerful Intereſt of the Perſons guilty, hath not taken any cogniſance what Members or others have ſo abuſed them, to draw the Parliament to ſuch Diſhonour and Inconveniencies, we cannot but again more fully and clearly aſſert, (as we have in former Papers, and ſhall yet more particularly, if need be, remonſtrate) That divers things lately done and paſſed from the Parliament againſt this Army, as particularly the Order for ſuppreſſing the Petitioners, that high Declaration againſt it, and againſt all that ſhould proceed in it, putting the faithful Servants of the Parliament and the Kingdom out of the protection of the Law, and expoſing them as Enemies to the State, *&c.* to the forfeitures of the Eſtates, Liberties, Life and all, but for going about in an humble, peaceable, and inoffenſive way, to deſire what was undeniably their due, and dearly earned; and many other ſuch like Proceedings both againſt the Army and others, do carry with them ſuch a face of Injuſtice, Oppreſſion, Arbitrarineſs, and Tyranny, as we think is not to be parallel'd in any former Proceedings of the moſt arbitrary Courts, againſt any private Men, but hath brought in inſufferable diſhonour upon the Parliamentary Authority and Proceedings, (which we are, and others ought to be, deeply ſenſible of) hath tended to diſoblige all Men, eſpecially Soldiers, from the ſame, to deſtroy all juſt Freedom, either of Soldiers or Subjects, and hath conduced to all other the ſad Effects, and worſe Conſequences, expreſſed in the Charge; and gives us and others cauſe to conclude, That thoſe Worthies who have formerly acted, and carried on things in Parliament for publick Good, Right, and Freedom, are now awed or over-born by a prevailing Party of Men, of other private Intereſts, crept in, and that neither we, nor any other can reaſonably expect Right, Freedom, or Safety, (as private Men) or to have things acted in Parliament for publick Good, while the ſame Parties continue there in the ſame Power, to abuſe the Name and Authority of Parliaments, to ſerve and proſecute their private Intereſts and Paſſions, and, under the Privilege of Parliaments, to ſhelter themſelves under the worſt of Evils or Miſchiefs they can do, though to the Ruin of the Kingdom.

We

We are in this Case forced (to our great grief of Heart) thus plainly to assert, The present Evil and Mischief, together with the future worse Consequences of the things lately done, even in the Parliament it self (which are too evident and visible to all) and so in their proper Colours, to lay the same at the Parliament's Doors, until the Parliament shall be pleased, either of themselves to take notice, and rid the Houses of those that have any way misinformed, deluded, surprised, or otherwise abused the Parliament, to the vehement pressing and passing of such foul things there; or shall open to us and others, some way how we may regularly, and without the scandal of breaking Privileges, come to charge and prosecute those particular Persons, that (in truth) have so abused the Parliament (as well as our selves) even for those Misinformations, and other evil and indirect Practices or Proceedings in Parliament, whereby they have abused the same, as in our said Charge and former Papers is set forth. And here, if we may, we should humbly offer it to consideration, whether it were not a necessary Expedient, for prevention or remedy of such Evils in future, that in things so clearly destructive to the common Right and Liberties of the People, and the Safety of the Kingdom, there should be a liberty for Dissenting Members in the House of Commons (as it is allowed in the House of Peers) to enter their Dissent, and thereby acquit themselves from the guilt or blame of what Evils may ensue; that so the Kingdom may regularly come to know who they are that perform their Trust faithfully, and who not. And this Provision for future, as also our desires for Remedy in the present Cases, as it were clearly good and necessary in the respects premised, so we think the same may well be without further prejudice or discouragement in any other respects to succeeding Members of Parliament; Provided always, That no Man shall be questioned or censured for any thing said or done in Parliament, any further than to exclusion from that Trust; which is all that in the present case we should desire upon any such Grounds.

And that future liberty of entering the Sense, we do not here propose as a thing we any way insist on to the prejudice of Parliament Privileges, we only offer that to Consideration, and that from good Wishes to the Privileges of Parliament, to render them more lasting, by being less innocent; and indeed, whoever most adores or tenders those Privileges, will best express his Zeal towards them, in taking care they be not abused or extended to private Wrongs or publick Mischief; for we clearly find, and always Men may see it, That Parliament Privileges, as well as Royal Prerogatives, may be perverted and abused, or extended to the destruction of those greater Ends for whose Protection and Preservation they were admitted or intended, *viz.* the Rights and Privileges of the People, and Safety of the whole; and in case it be so, the abuse, evil, or danger of them is no less to be contended against; and a remedy thereof no less to be endeavoured than of the other.

And whereas the Injustice in that particular, of the Declaration against the Army, for their just and innocent Petition, may seem to have been recompensed in the late expunging thereof out of the Journal Books, we confess that hath been so in great measure, as to the present or particular Injury unto the Army therein; and we cannot but acknowledge so far, That the Justice that lies in those Votes, for expunging thereof, and for their own and the Armies particular reparation, we should never wish more, nor scarce have insisted on so much to any dishonour of Parliament in future; we should rather have been satisfied with the Parliament's declaring, how, and by whom they had been misinformed, surprised, and otherwise abused, in the framing, proposal, or passing thereof as it was; but as to that particular, or any other of that Nature, we say as followeth, *viz.*

1. We never did nor do value or regard our own Injury or Reparation, in any comparison to the consequence of the one, to the prejudice of the other, or to the future security of the common Right and Freedom of this Nation; and accordingly, we do not account any Reparation considerable, that extends but to our selves in the present Cases, and does not in some sort secure our selves, and all others, from danger of the same, or worse Injuries or Oppressions (as private Men) from the Wills or Passions of the same Persons that have offered and acted such things against us, while an Army.

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2. We cannot but imagine and consider (according to general report) how the expunging of that Declaration was carried and obtained; and upon what Grounds and Intentions it was given way to; but had those that procured it, been all for expunging it, and that freely, yet how can we expect better, but that the same Men, who at one time carried such a Declaration, and another time expunged it, may the next Day obtain the like or worse (upon any occasions wherein it may serve their private Ends or Interests) if they continue in the same Power and Sway, and be let pass in deluding and surprising the Parliament, as they have done in the past Particulars.

3. The apparent dishonour and prejudice brought upon the Parliament, in having such a Declaration so past, as they should soon after (without any alteration in the pretended Ground of it) find cause (for shame of the World) to expunge, we think, should engage those Members in point of Honour, to find out and discover how and by whom the Parliament had been abused, or otherwise brought into such an Inconveniency; and the Parliament may in this see the Temper, as by-standers do the Prevalence, of those Members that abused the Parliament in that Declaration, who will and can make the Authority of Parliament to lie under the Dishonour of it, in a bare expunging or retracting, rather than admit of any Consideration to acquit the Authority of Parliament, that will tend to fix the blame on those particular Members that had deserved it; and this certainly would be admitted, and done, rather than to slight it over with a bare expunging, were not some Men more tender of, and more swayed with such Considerations and Consequences as may tend to the prejudice of Persons, than such as tend to the general prejudice and dishonour of Parliaments.

4. As to those Particulars included in our Charge, which depend on things done without the Parliament, we are ready, and should most willingly proceed to the particular charging and proving thereof, if first (from the justice of the House in a present Proceeding against the Persons charged for those things that are already known to the House, being done in it) we could find encouragement to expect any good issue upon those other things, and did we not, on the contrary, find that notwithstanding what is so known to the House, as before express'd, the same Persons continue in such Power and Prevalency, both in the House, and in all the Committees of the highest Trust, as leaves little hopes of Right or Satisfaction to the Army or Kingdom in other things, and much less in any just Proceedings against themselves, while they continue Judges of their own and our Concernments, so as we cannot (while they remain in the same Power) expect any thing but a continued perverting and making advantage of all things, and especially of those delays which a regular Proceeding against them would necessarily endure, altogether to our own and the Kingdom's prejudice and danger, to disable or weaken us for those things, which the safety and settling the Rights, Liberties, and Peace of the Kingdom requires, and to strengthen themselves by underhand Practices and Preparations at home and abroad, the better to oppose us, and to engage the Kingdom in a new War, thereby to accomplish their Desires, or at least to save themselves from Justice in a common Confusion. We say, were it not for these and such other Considerations, that leave little hopes of Justice to our selves or the Kingdom, while they continue in the same Power, and render all delays dangerous and destructive to our selves and the peace of the Kingdom, we should be contented that the business concerning the Members we have charged should be laid aside, till those other things were first settled which our Declaration does propound, for the common Rights and Liberties of the Kingdom.

But finding things still so carried, and that while they were Judges in their own Causes, they (with that Party which they make) will do what they please, and yet render it a Breach of Privilege to be accused for it as they are, as we have before express'd, we cannot, upon all these Considerations, and for all the Reasons before express'd, but insist upon it, that the Members charged may first be forthwith suspended from sitting in the House, otherwise we cannot expect any fair proceeding against them upon a more particular Charge, nor think there is any good intended to our selves or the Kingdom.

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As to our desires of having the Army presently paid up equally with those that have deserted it, we appeal to all Men, for the Justice, Reasonableness, and Necessity thereof: The Justice, in that the former Service (for which those Arrears are due) hath been, at least, as faithfully and diligently performed by the Army, as by those late Deserters of it: And in our present posture (though they have appear'd indeed more officious or serviceable to the Persons or Wills of particular Men, than we, yet) we are sure the Army is, and, we hope, will at last appear to be more faithful to the true Interest of Parliaments and the Kingdom (which we were at first called out and engaged for) than they in deserting the Army have hitherto appeared. For the reasonableness of our Desires, though we have grounds to claim more than they, or rather that they, or some of them, should forfeit their Arrears, yet we ask for present but equal; nor should we at present insist on that so much (as to the Officers) if our Soldiers were but first paid up. Our necessity to insist on that is obvious to every Man; and therefore, unless we should betray our own and the Kingdom's Cause, we cannot but positively insist upon it, that the Army should forthwith be paid up, at least, equally to those Deserters of it, which if denied or delayed, we shall be thereby enforced upon present ways of Remedy, and Right to the Army therein.

And whereas the Parliament hath lately ordered, and publickly declared, That all that shall desert the Army, shall have present satisfaction in their Arrears (the Officers three Months Pay, the Soldiers all their Arrears, deducting for Free-Quarter) which still continues unrecall'd, we cannot but look upon it as a most clear evidence of the continuing Malice and Prevalence of ours and the Kingdom's Enemies; and we must and do insist upon it, that that Order or Declaration may forthwith be publickly recalled, otherwise we cannot believe that any thing but ruin and destruction is designed to our selves, and all other in the Kingdom, who every where call upon us not to disband, till we see the Rights, Liberties, and Peace of the Kingdom settled, according to the many Declarations by which we were first called forth and invited to engage in the late War.

Next we cannot but take notice, that instead of granting or answering our desires in the last Paper, in order to the better and more safe proceeding to a Composure and Settlement of all things, for the good and peace of the Kingdom, and for prevention of any new War, the Army being first commanded to forty Miles distance from *London*, His Majesty's Person is demanded immediately to *Richmond* House, within eight Miles of *London*, which, as we cannot but impute it to the prevailing Interest of the same Enemies to our and the Kingdom's Peace, so all Men may easily discern with us, how directly it tends (in pursuance of their former private Designs upon the King, e're he came from *Holmby*) to put His Majesty within reach of those Mens Power, who have under-hand listed about *London* already, a very considerable number both of Horse and Foot, and are daily listing and engaging more, both there, and in many Parts of the Kingdom, to serve their Designs; and therefore we appeal to all unengag'd Men, whether we can in this give way to have the King put so far within those Mens Power, without giving them the long sought for advantage of his Majesty's Person, whereby to embroil this Kingdom in a new and bloody War, and strengthen themselves in their mischievous Designs, the better to uphold and establish their Faction and intended Domination: So that in this case we cannot but importune the Parliament (as they tender the Peace and Safety of the Kingdom, and the avoiding of Jealousies or worse Inconveniencies in the Army) that they would assume the consideration of that business concerning the Person of the King, and not propose any place for him nearer to *London*, than they would have the Quarters of the Army to be.

And whereas (by the procurement of the same Persons, or others of their Party) there have been scandalous Informations presented to the Houses, and industriously published in Print, importing, as if his Majesty was kept a Prisoner amongst us, and barbarously and uncivilly used, we cannot but declare, that the same, and all other Suggestions of that Sort, are most false and dangerous, and absolutely contrary, not only to our declared Desires, but also to our Principles, which are most clearly for a general Right and just Freedom to all Men; and therefore upon this occasion we cannot but declare particularly, that we desire the same for the King and others of his

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Party, so far as can consist with common Right or Freedom, and with the security of the same for future. And we do clearly profess, we do not see how there can be any Peace to this Kingdom, firm or lasting, without a due consideration of Provision for the Rights, Quiet, and Immunity of His Majesty, His Royal Family, and His late Partakers; and herein we think, that tender and equitable dealing (as supposing their Cases had been ours) and a Spirit of common Love and Justice diffusing it self to the good and preservation of all, will make up the most glorious Conquest over their Hearts (if God in Mercy see it good) to make them and the whole People of the Land lasting Friends.

To draw to a Conclusion, since we can yet obtain no Satisfaction or Answer to the things desired, as before, but contrariwise find all things carried on by the prevailing Interest of those our Enemies, to the prejudice and danger of our selves and the Kingdom, since (notwithstanding some Votes of Parliament against the late Orders of the Committee of Safety for listing of Forces, and notwithstanding the earnest Desires and Endeavours of the City, concurrent with our own, to have the same prevented and remedied, yet) the said Committee of Safety being continued still in the same Power, we find that by the appointment or contrivance, and under the Protection or Countenance of the same Persons whom we have charged, and their Accomplices, there are still manifold Practices, under-hand, to list and raise new Forces, and, notwithstanding the discovery thereof to the Parliament, from the City, yet the same Persons have prevailed so far in the House, as not to admit the Question for discharging of them, but the same Practices still continue, and with double diligence are enforced; since also divers Forces (pretended to have been engaged for *Ireland*) are by the same Persons ordered to rendezvous about *Worcester*, there to lay the Foundation of a new Army; and to that purpose, their Emissaries and Correspondents in all Counties are busie and active to raise Forces for them: And though for these things the Actors of them have no present publick Authority, yet they have some way such Countenance, and assurance to be justified in Parliament (if question'd for it) as that they have the Confidence to act openly: Since they have likewise their Emissaries or Agents in *Scotland*, *France*, and other Countries, very active to draw Foreign Forces for their Assistance: Since in the mean time they are endeavouring by Spies, and secret Agents in all our Quarters, to inveigle and invite the Soldiers of this Army to desert their Officers, and come to *London*, and for that purpose do improve the Advantage of that Order or Declaration of Parliament aforementioned, for satisfaction of Arrears to such as shall desert the Army; and we find they have the publick Purse so much at their disposal, as to make good that and other of their Undertakings of that Nature; and yet such as have so deserted the Army, and received their Arrears, are not discharged or dispers'd, but continued together in Bodies, and under Command in and near the City; as in particular, some of Sir *Robert Pye*'s Men, Colonel *Gervis*'s, Captain *Farmer*'s, and others, still quartered upon *Kent*: Since likewise they have their Agents and Correspondents labouring with the King, to make Contracts with him, to engage and declare for them, or at least to declare himself a Prisoner amongst us, whereby to stir up and engage his Party against us: Since in all these respects we find all dilatory ways (which they industriously devise) to be designed and made use of only to our disadvantage, weakning, and ruin, to the Kingdom's prejudice, and to their own advantage, and strengthning their Designs, the better to prepare for a new War.

And lastly, considering the multitudes of Reformado's, and other Soldiers swarming about the City (whom the Persons we have charged, and their Accomplices, have at their beck, to bring up to *Westminster* when they please) and that by their frequent tumultuous Confluences thither (besetting and sometimes blocking up the Parliament-Doors, threatning and offering Violence to the Persons of the most faithful Parliament-Men) the just Freedom of Parliament seems to be taken away, or at least for the present abridged; insomuch as those Members who have served the Kingdom hitherto, with most Faithfulness, Diligence, and Integrity, for the Publick Good, many of them dare scarce come to the House, or if they do, they come in fear and peril of their Lives; and when they are there, are awed, discouraged, or disabled from discharging their Consciences, or doing their Duties to the Kingdom.

Upon all these Considerations, we are clearly convinced and satisfied, That both our Duty and Trust for the Parliament and Kingdom, calls upon us and warrants us, and an imminent necessity for our own and the Kingdom's Safety, and Preservation from a new War, enforceth us to make or admit no longer delays, but upon those Foundations God hath given us, with vigour and speed, to endeavour in some extraordinary way, the vindicating of Parliament Freedom from tumultuous Violence, the breaking of those Designs and Preparations, that otherwise threaten a present embroilment of the Kingdom in more Blood and War, and a future perpetual enslaving of it under Faction and Tyranny; and so, if God see it good, to put the Parliament into a Freedom and Capacity, with His Majesty's wished and hoped concurrence, to settle the Rights, Liberties, and Peace of the Kingdom.

Upon all these Grounds, and for all these Ends premised, we shall be enforced to take such Courses, extraordinary, as God shall enable, and direct us unto, to put things to a speedy Issue, unless by *Thursday* Night next we receive assurance and security to our selves and the Kingdom, for a more safe and hopeful Proceeding in an ordinary way, by having those things granted, which, in order thereunto, we have before insisted upon; and shall here, for more brevity and clearness, express our selves as followeth.

1. That the Declaration, inviting Men to desert the Army, and promising their Arrears in case they do so, be recalled and annulled.

2. That the Army may be presently paid up, equally to those that have deserted it.

3. That His Majesty's coming to *Richmond* may be suspended until things be better settled and composed; and in the mean time no place may be appointed for His Majesty's Residence, that may be any nearer to *London*, than the Parliament will allow the Quarters of the Army to be.

4. That the Members charged may be forthwith suspended, or sequestred the House.

5. That those that have deserted the Army, may be instantly discharged and dispers'd, and receive no more of their Arrears till the Army be first satisfied.

6. That both Parliament and City may be speedily and effectually freed from those multitudes of Reformado's and other Soldiers before-mentioned, that flock together about *London*, and a speedy dispatch and discharging of them from the City.

7. That all such Listings or Raisings of new Forces, or drawing together of any, as is before-mentioned, and all Preparations towards a new War, may be effectually declared against and supprest; as also all Invitations or Endeavours to draw in Foreign Forces.

8. That the present perplexed Affairs of the Kingdom, and these concerning the Army; as also all the things desired in our late Representation, in behalf of the Kingdom, may be put into some speedy way of Settlement and Composure.

St. Albans, June 23, 1647.

Signed by the Appointment of His Excellency Sir Thomas Fairfax, *and the Council of War.*

At a Council of War at St. *Albans*, *June* 23, 1647. Present,

His Excellency Sir *Thomas Fairfax.*	Colonel *Horton.*
Lieutenant-General *Cromwell.*	Colonel *Pride.*
Lieutenant-General *Hammond.*	Quarter-Master-General *Grosvenor.*
Commissary-General *Ireton.*	Scout-Master-General *Watson.*
Colonel Sir *Hardress Waller.*	Adjutant-General *Deane.*
Fleetwood. (Colonels.)	Lieutenant-Colonel *Jubbs.*
Lambert. (Colonels.)	Lieutenant-Colonel *Cobbet.*
Rich. (Colonels.)	Lieutenant-Colonel *Ewers.*
Lilburne. (Colonels.)	Lieutenant-Colonel *Salmon.*
Okey. (Colonels.)	Lieutenant-Colonel *Goffe.*
Hewson. (Colonels.)	Major *Barton.*
Scroope. (Colonels.)	Major *Regers.*
Harrison. (Colonels.)	Major *Saunders.*
Barkestead. (Colonels.)	Captain *Cunn.*
Tomlinson. (Colonels.)	Captain *Husbands.*

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The Remonstrance was agreed on by the Officers aforesaid; and afterwards, by Direction from the General and Council of War, delivered to the Parliament by Colonel Sir *Hardress Waller*, Colonel *Rich*, and Major *Tomlinson*.

Parliament's Desires.

An Ordinance for giving a Day of Relaxation to Apprentices was read, and upon the Question committed.

The King to stay his Journey to Richmond.

A Message from the Lords, desiring the Commons Assent to a Letter to His Majesty, that by reason of some late Accident, humbly to intreat His Majesty either to stay at *Royston*, where He appointed to lie this Night, and to Morrow at *Theobalds*, or return to *Newmarket*.

The Commons concurred therein, and a Letter was sent accordingly.

A Copy of this Letter to His Majesty was ordered to be sent inclosed in a Letter to His Excellency, and another Copy to the Commissioners in the Army.

The Consideration of the Eleven Members were ordered to be resumed to Morrow.

Parliament against suspending the eleven Members.

The House this Day, *June* 25. resumed this Debate, and after much time spent, ordered, that by the Law of the Land no Judgment can be given to suspend these Members, or any of them, from sitting in the House, upon the Papers presented from the Army, before the Particulars be produced, and Proofs made.

Resolved further upon the Question, that it doth not appear, that any thing hath been said or done, within the Commons House, by any of the Members in question, touching any Matters contained in the Papers sent from the Army, for which the House can in justice suspend them.

The Excise-House for Flesh to be pulled down.

This Day Order was given for the pulling down the lately erected *Excise-House* in *Smithfield*, the Excise of Flesh ending *Wednesday* last, for which many in *London* made Bonfires; the Officers and Work-men coming to take down the House, a great number of the common People, in a short time, came about them, and fell to sharing the Materials, some carried away pieces of Timber, others the Glass-Windows, and others the Bricks, and what else they met withal.

Barkhamstead *the Head-Quarter.*

From the Army there came Intelligence, that Yesterday the General removed his Head-Quarters from St. *Albans* to *Barkhamstead*, twenty seven Miles from *London*, where they expect the Result of the Parliament concerning their Desires; and accordingly either remove further, or approach nearer to *London*. His Majesty came that Night to *Royston*; the House have sent to His Majesty to stay at *Royston*, or go back to *Newmarket*, but His Majesty, 'tis said, is not willing to go back.

The King stays at Royston.

A Letter was read in the House from His Majesty, that according to the Order of both Houses, he would stay at *Royston* that Night, and give them a further Account of his Removal when it shall be.

Four full Companies to guard the Parliament.

An Order was made by the House, giving Power to the Commissioners of Parliament in the Army, to confer with the Commissioners from the City in the Army.

The *Militia* of *London* were desired to send *Four full Companies* for the Guard of the Houses to Morrow.

The Army advances towards London *again, but declares not, to the Terror of Parliament or City.*

This Day, being *June* 26. Letters were read from his Excellency Sir *Thomas Fairfax*, and others, from the Parliament's Commissioners in the Army, giving an Account of the Armies near Advance towards *London*, with the Grounds thereof, and that they intend not there-

thereby any wise to awe the Parliament, or be a Terror to them or the City; and renewed their Desires, That the Members charged by them may be suspended the House; and that then they will give in a more particular Charge, with the Proofs and Attestations to make good the same.

A Letter from the General to the City, not to advance nearer than Uxbridge.

There came likewise a Letter from the General, and Officers of the Army, to the Lord-Mayor, Aldermen, and Common-Council of *London*, to satisfie them of their nearer advance toward *London*, and to assure them, that as they desire in all things a right understanding betwixt the Parliament, City, and Army, they will inviolably keep and observe their Faith and Promise to the City; and that they intend not in this their Approaches any prejudice to the City, but will be ever tender of their Peace and Welfare as their own, their only Aims being to obtain a firm Peace, and not a new War.

The Head-Quarter of the Army, this present *Saturday*, is at *Uxbridge*, where also the General is: It was agreed by a Council of War, the last Night, the Army should not advance nearer *London* than *Uxbridge*.

The King at Hatfield.

His Majesty is at the Earl of *Salisbury*'s House at *Hatfield*, whither he came this Day from *Royston*.

The 11 *Members withdraw*

The House had much Debate this Day upon a Motion from the *Eleven Members* charged by the Army, that they might have liberty to absent themselves from the House; and it was at last condescended unto, and the Members accordingly all of them left the House this Day.

To hasten the Treaty with the Army.

A Letter was agreed upon by both Houses to be sent to their Commissioners in the Army, desiring them to improve their additional Power with Fidelity and Expedition in treating with the Army.

List of Officers.

An additional List of Officers were presented to the House, and ordered thereupon they should have the benefit of the 25000 *l.* with the rest.

A Day of Recreation.

The Ordinance with the Amendments, for the Day of Relaxation to Scholars and Apprentices, this Day passed the House.

We had further, by Letters this Day from *Uxbridge*, to this purpose.

Intelligence.

'The General removed from *Barkhamstead* to this Place yesterday. The Head Quarters is like to be here till *Monday* or *Tuesday*. His Majesty removed from *Royston* to *Hatfield* this Day. To Morrow we shall hear what Entertainment his two Chaplains, Dr. *Hammond*, and Dr. *Shelden*, either afford to him, or receive from him, who went Yesterday to *Royston* to His Majesty. A Council of War sat at *Uxbridge* all the last Night, and understanding that through a Mistake some Regiments had enlarged their Quarters nearer *London* than was intended, *viz.* as far as *Harrow on the Hill*, *Hayes*, *Brentford*, *Harlington*, *Feltham*, and *Hanworth*, there were Orders immediately sent to stop the Regiments, and to bring them to quarter in Line about fifteen or sixteen Miles distant from *London*, and the General and Officers have resolved, that there shall be no further advance of the Army, or any Quarters of it nearer *London*, before notice thereof given to the Parliament and City.

By a mistake Soldiers quarter nearer London *than the distance of* Uxbridge.

Uxbridge, *June* 26, 1647.

June 28, 1647. This Day Letters were read in both Houses from the Commissioners with the King, giving to understand, that the Duke of *Richmond* was come to His Majesty to *Hatfield*, Dr. *Shelden*, Dr. *Hammond*, and some others, *&c.*

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Duke of Richmond, *&c. to be removed from the King; and the King to go to* Holmby.

The Houses debated this business, and ordered, that His Majesty should be desired from both Houses to remove from *Hatfield* back to *Holmby*.

That the Commissioners attending His Majesty do remove the Duke of *Richmond*, Dr. *Shelden*, Dr. *Hammond*, and all other Persons that ought not to come near the King, according to their Instructions.

To keep Malignants from the King.

That a Letter be writ to the General, to give order, that the Guards attending His Majesty be observant to the Commands of the Commissioners, in relation to their Instructions, and in keeping Malignants from His Majesty.

The House of Commons received Letters from the Army, of what they desire further, in relation to the Safety of the Kingdom, which Desires were as followeth.

The desires of the Army to the Parliament, in reference to the 11 Members, and Privilege of Parliament.

WHereas we understand the House hath voted, that it doth not appear, that any thing hath been said or done by the Eleven Members within the House, touching any Matter contained in the Papers from the Army, for which the House can in Justice suspend them, though if way were given and opened, whithout breach of Privilege, for us to charge them with, and for others to be examined freely, to testifie unto such things, we should not doubt to make such Proceedings, and Practices of theirs in the House to appear; for which, according to former Precedents, they justly might and ought to be suspended, yet we are so tender of Privileges of Parliament, as that we shall at present forbear to reply, or press further upon that Point for the Houses Proceedings therein, upon their own Cognizance.

2. *Whereas the House of Commons hath voted, That by the Laws of the Land, no Judgment can be given to suspend those Members from sitting in the House, upon the Papers presented by the Army, before Particulars produced and Proofs made, though we think good Reasons may be given, and Precedents found to the contrary, even in the Proceedings of this Parliament; as in the Case of the Earl of* Strafford, *the Archbishop of* Canterbury, *the Lord-Keeper* Finch, *and others. Yet we do declare, that we have both Particulars and Proofs against them ready to produce, but considering that the Proceedings thereupon will probably take up much time; and the present unsettled Affairs of the Kingdom, in relation to those great Matters proposed by us, do require a speedy Consideration, we shall be willing that these greater and more general Matters of the Kingdom be first considered of and settled, before the Censure of those Members be determined; and therefore because they may apprehend it some prejudice to them to have their particular Charges given in, and lie upon them so long undetermined, we shall be willing to forbear the giving in of the Particulars against them, till they may, without interruption to the general Affairs, be immediately proceeded upon: But if the House do think fit the Particulars against them be first delivered in, we shall be ready to do it.*

3. *Whereas we understand, that the Members charged have desired leave from the Houses to withdraw themselves, we cannot but take notice of the Modesty thereof so far, as that we are contented therewith, for the present more quiet proceeding to settle the perplexed Affairs of the Kingdom (which, without any private Animosities against Persons is our greatest End in what we do, only we declare, that) as we suppose the Gentlemen themselves, from the same Grounds that induced them to offer this, will still forbear to offer the contrary, till the Matters concerning them be heard and determined, or to make any new interruption or disturbance to the proceeding upon, or settlement of the general Affairs of the Kingdom; so we hope, and shall confidently expect, that the Wisdom and Justice of the House will not admit any things to the contrary, or leave it to an hazard thereof, but will use sufficient Care and Caution against such things, and for the bringing those Members to Trial, when the House shall judge it seasonable and safe, as before express'd.*

Uxbridge, June 27, 1647.

By the Appointment of his Excellency Sir *Thomas Fairfax*, and his Council of War.

Signed, *John Rushworth.*

Votes of Parliament in favour of the Army.

The House debated these Desires, and, in answer to part of them, passed these Votes, That they do declare, That no Officer or Soldier of the Army, from and after the publication of this Order in the Army, shall leave the Army without the particular license and discharge of the General.

That they do declare, That they do own this Army as their Army, and will make provision for their maintenance; and will take order, that so soon as Money can be conveniently raised, they shall be paid up equally with those that have left the Army.

Resolved, *&c.*

That it be referred to the Committee of the Army, to take into Consideration, how provision may be made for the Army, in pursuance of the Votes this Day passed.

Resolved, *&c.*

That it be referred to the Commissioners with the Army, to be very earnest with the General, That no discouragement or obstruction may be given by the Soldiery, to the due levying and bringing in the Excise, and other Assessments and Payments to the Parliament.

An Ordinance was read in the House for saving harmless all well-affected Persons from Bonds or Bills, or other Engagements extorted from them by the Enemy in the time of this War.

The House considered of appointing Circuits of Assize in *England* and *Wales* for this Summer, and referred it to the Commissioners of the Great Seal, to bring in a List of the Judges for this next Circuit.

Isle of Scilly.

June 29. A Message came from the Lords, with an Ordinance and some Amendments, it came first from the House of Commons, and was for appointing Colonel *Butler* Commander in Chief of the Isle of *Scilly*. The Commons agreed to the Amendments, and then the Ordinance past.

Eleven Members.

A Petition was presented to the House of Commons, in the Name of the Eleven Members Impeached, all but Recorder *Glyn*, desiring to come to a speedy Trial.

The House Ordered, that by *Friday* next at furthest, the particular Charge of the Army against the Eleven Members, shall be brought into the House.

Colonel Graves *Colonel Sir* Ro. Pye.

The Accounts of Colonel *Graves* and Colonel *Pye* (upon their Petition) was ordered to be referred to the Committee of Accounts.

That those that come off from the Army, advance for Ireland.

The Houses ordered, that all Officers and Soldiers that are come off from the Army, and engaged for *Ireland*, shall forthwith advance for the Service of *Ireland*, or else be immediately disbanded.

Against tumultuous meetings of Officers and Soldiers.

An Ordinance was this Day read, prohibiting all tumultuous Assemblies of any Officers or Soldiers about the two House at *Westminster*, or in the City of *London*. and commanding such of them as are not Inhabitants and House-keepers in the Cities of *London* and *Westminster*, or Lines of Communication, to depart and withdraw themselves out of the said Lines, within Ten Days after notice and publication of this Ordinance. And such as shall be found after the Ten Days Publication, contrary to this Ordinance, shall lose their Arrears. This Ordinance was read the first time, and committed to a Committee.

Court of Admiralty.

The Commons received further this Day, a Message from the Lords, to acquaint them with divers Complaints from Foreign Ambassadors and Strangers, who suffer much for want of a Court of Admiralty, which the Lords think fit should be speedily settled,

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Dutch *Ambassadors for a Pass.*

and which the Commons ordered to take into Consideration. Also to acquaint them with the *Dutch* Ambassador's Letter, and the Lords Votes, that they think fit to grant him a Pass (desired as) to go to His Majesty, and another to return to his own Country, with his Retinue, Six Horses, and other Necessaries, and Security for his Family, which he leaves here. To which the Commons concurred.

Fast-Day.

This Day, *June* 30. being the Fast, Dr. *Smith* and Dr. *Rainbow* preach before the Lords, and Mr. *Ward* and Mr. *Mainton* before the Commons, who had Thanks, and ordered to print their Sermons, save only Mr. *Ward*, who gave Offence. Mr. *Whitchcot*, and Mr. *Jagger* are desired to preach before the Commons next Fast-Day.

A Committee was appointed to consider how the Church of *Torrington* may be re-edified.

Accommodation in Religion.

A Committee was appointed to propose godly and able Persons to consider of the Matters of Accommodation in Religion, and to present their Names to the House.

Observation of the Lord's Day

It was this Day referred to the Lord-Mayor, Sheriffs, Justices of the Peace, and Constables, within the Lines of Communication, to be very careful in putting the Ordinance for the better *observation of the Lord's-Day*, and *Fast-Days*, into execution. The Defects of these two Ordinances were ordered to be referred to a Committee.

Malignant Ministers.

Ordered, that it be referred to a Committee to make enquiry what malignant Ministers have been admitted, by the Committee, of Plundered Ministers, into Livings, contrary to the Order of the House, and to report the Names of such to the House, and a Committee was appointed for that purpose.

The Army draws back.

Letters came this Day to the House from the Commissioners with the Army, and a Letter from the General and Council of War, of the Armies drawing further back from the City of *London*, removing their Head-Quarters from *Uxbridge* to *Wickham.*

The General's Letter was as followeth.

The General's Letter.

My Lords and Gentlemen,

BY the Votes you pleased to communicate to me this Morning, I find the Parliament hath taken into their Considerations those Propositions of the Army which necessarily craved some satisfaction before the withdrawing of it. And that their Progress already made (though but in part) meets with such a Compliance in my Council of War, that it begets in them a general Confidence of the Houses speedy and full Answer to the remaining Proposition. And therefore to testifiy the readiness of this Army to observe the Commands of Parliament,

The Head-Quarters at Wickham.

They have resolved to remove the Army to a farther distance, and the Head-Quarters to be this Night at Wickham, *believing that this forwardness on their part, to satisfie both the Parliament and City, will not retard but hasten the Resolutions of the Houses, with a full Satisfaction to the Particulars not yet answered; and also acquit this Army of many Jealousies and unjust Aspersions cast upon it.*

To the Right Honourable Lords and Commons, Commissioners for the Parliament in the Army, to be communicated to both Houses of Parliament.

The Army desire to speed the Treaty with the Parliament's-Commissioners.

This Day likewise the General and Council of War at *Wickham* sent a Paper to the Commissioners, in answer to one from them the Day before, signifying, that they were very sensible of the many Inconveniences, which delay (in the speedy settlement of the Affairs of the Kingdom) may produce, and therefore were ready, according

ding to the Parliament's desire, to appoint Officers to treat with them, that delay might not rest on their Parts; and withal further intimated, that the Army is not satisfied, and do conceive themselves and the Kingdom unsafe, until the last Propositions delivered in unto the House be fully answered. And therefore desire to know their pleasures concerning them, before they proceed to a Conclusion in any thing upon the Treaty.

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July 1, 1647. Referred to the Committee of the Army, to consider how a Month's Pay may be speedily advanced to the Army. *A Months Pay.*

Ordered, that it be referred to the Committee of the Army, to consider how the Arrears due upon the Ordinance of Sir *Thomas Fairfax*'s Army may be speedily collected for them.

Ordered, that His Majesty's Person shall reside no nearer the City of *London*, than the Quarters of the Army may be born. *King's Residence.*

It was ordered, that the Committee formerly appointed to consider of an Accommodation in Matters of Religion should meet, and to report their Opinion with all convenient speed. *Accommodation in Religion.*

An Information was given of Alderman *Cousins* of *Newcastle* upon *Tine*, and others, their being now in *Scotland*, in nature of Agents for Presbytery, endeavouring to bring the *Scots* into this Nation. This was referred to Examination of the Committee of the *North*. *Some endeavour to bring in the Scots Army.*

Ordered, that the Lords be desired to expedite the Proposition to be sent to the King.

The Ordinance for putting Officers and Soldiers out of the Line, was read the second time and recommitted. *To put Officers and Soldiers out of the Line.*

July 2, 1647. This Day a Petition was presented to both Houses, from the Lord-Mayor, Aldermen, and Common-Council of the City of *London*, which take as follows at large, *viz.*

To the Right Honourable the Lords and Commons assembled in High Court of Parliament.

The humble Petition of the Lord-Mayor, Aldermen, and Commons of the City of London, *in Common-Council assembled.*

Humbly Sheweth,

THat the Petitioners cannot but call to mind the deliverance which they and the whole Kingdom did justly expect from this Parliament, after so many Years suffering under the Power of an Arbitrary Government, both in their Spiritual and Temporal Concernments; and they do humbly acknowledge, that this Parliament hath removed many Obstacles, and are confident would, by this time, with God's Blessing, have restored the Kingdom to its just Liberties, and settled a sure Foundation for its future Happiness, if they had not been diverted by the great Contrivers of the Kingdom's Slavery, who, rather than submit to the Justice of this High-Court, have raised and maintained a bloody, unnatural, and long War against the Parliament of *England*. In the suppression whereof, as much Blood hath been spilt, so a great Treasure hath been spent, and the Kingdom is still left involved in many Engagements and Debts, both to their Brethren of *Scotland*, (who, like true Christian Brethren, came in to its Aid against the common Enemy) and also to a multitude of Officers, Soldiers, and others the well-affected People of this Land, who did engage in the defence and support thereof. And although the Petitioners, in the Obligation which the Cause of God, and the publick Safety did cast upon them, have all this time both freely contributed and chearfully submitted to many great and unusual Assessments, which also could not be levied but in an extraordinary way; yet they cannot

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not be unsensible how much arbitrary Power hath been, during these Distempers, exercised by Committees, and others, by whom the good Subject hath been oftentimes more oppressed, than the Delinquent suppressed, and who have managed the Receipts and Revenues which were designed to maintain the publick Charge, so disorderly and ineffectually, that the Kingdom cannot but be unsatisfied concerning the due employment thereof, and doubt that much of the publick Money hath been employed to private Ends, and remains obscured in the Hands of such as were intrusted with the Collection of those Assessments, and the Improvement of all Sequestration to the publick and best advantage. And indeed, the Petitioners have reason to attribute much of the late Discontent and Disorders of divers Officers and Soldiers, unto the want of such Monies, as if duly collected and faithfully managed might have in good part, if not fully satisfied the Soldiery; and do humbly conceive, that the Parliament hath so much the more reason to enquire into the same, because that from this defect, hath risen those late Attempts of some of the Soldiery; and there is such use made of the Vote passed by the Parliament, for their Satisfaction, to invite and draw together very great numbers of Officers and Soldiers from all Parts of the Kingdom, under pretence of sharing the Money so obtained, that it may very much endanger the Peace and Safety of the City.

The Petitioners therefore, for remedy of the said Grievances, and prevention of those Dangers which otherwise may be feared, and for settlement of this miserable and distracted Kingdom, do humbly pray,

1. That present Command be given, that no Officer of War, or Soldier, other than such as are already come in, do enter the Line of Communication, under any pretence to share in the Moneys lately appointed by Parliament, towards the Satisfaction of any Arrears.

2. That such Officers and Soldiers who are already paid according to the late several Ordinances of Parliament in this behalf made, if their usual Habitation and Employment have been within the Line, be enjoyned forthwith to betake themselves to their Calling, or some honest Condition of Living, and be prohibited from their looser and tumultuous wandering and meeting within this City, and other Places adjacent, under Penalty of losing their Arrears. And that such Officers and Soldiers as have Dwellings or other Relations in the Country, be required to depart the Line within two Days after Publication, and to return to their Homes or Habitations, and there to apply themselves to their several Callings, upon the like forfeiture of their Arrears, except such whose present and lawful Occasions may require their continuance, to be approved of by a Committee for that purpose to be appointed. And that the Parliament would please to make some speedy and certain Provision for the satisfying of all Arrears unto the Soldiery, who have served the Parliament, within some short and convenient time to be paid in the several Counties and Places of their Abode, according to the Conditions of their Entertainments.

3. That all Officers and Soldiers who have been in Arms against the Parliament, or others who have assisted or contributed thereunto, be enjoined upon pain of Imprisonment, within twenty four Hours after publication, to repair to their several Habitations, and fall to their lawful Callings; and that such Officers, Soldiers, and others, as have no Habitations nearer, be commanded forthwith to withdraw themselves, and to continue, at least, twenty Miles from *London*, for the space of forty Days, except such as by a Committee authorised and appointed to that purpose, shall have License, upon just Cause by them allowed, to remain in or near *London*, so long time until they have dispatched such businesses as they shall have in or near the City; which ended, then presently to retire twenty Miles from the City, upon pain of Imprisonment, as aforesaid.

4. That such Commanders and Soldiers as according to former Orders of the Parliament have come in from the Army, having received their Monies, may be otherwise disposed of as the Parliament shall think fit.

5. That

5. That all Perſons whatſoever, that are poſſeſſed of any Monies or Goods belonging to the Publick, may be injoined to bring the ſame within one Month after Publication, into ſuch publick Treaſury as is or ſhall be appointed for that purpoſe, under Penalty to forfeit treble the Value, which ſhall be duly proved to be ſo concealed, the half of the Forfeiture to be given to ſuch Perſons as ſhall make proof of ſuch Concealment, and the other half to be applied to the Service of the State.

6. That all Revenues (as well ſuch as are due by Sequeſtration or otherwiſe) be managed under ſuch Commiſſions, and by ſuch Perſons, as notwithſtanding any Privilege of Parliament, or otherwiſe, may be held to ſuch Rules as are or ſhall be preſcribed therein, by Ordinance of Parliament, and be liable (for breach thereof) to anſwer the ſame in due courſe of Law, and that no arbitrary Power may be exerciſed to the contrary, by any Perſon whatſoever.

7. That the Parliament would for the preſent pleaſe to lay aſide all buſineſſes of leſſer Conſequence, of private Concernment, and improve their Time and utmoſt Endeavour, that ſuch Laws may be prepared for His Majeſty's Royal Concurrence, as may ſettle the Government of the Church, ſecure the People from all unlawful and arbitrary Power whatſoever in future, and reſtore His Majeſty to his juſt Rights and Authority, according to the Covenant; without all which the Petitioners can never expect any laſting eſtabliſhment; that ſo this long divided and diſtracted Kingdom may attain to the Bleſſings of Peace and Unity in Church and Common-wealth.

8. And that the People may be the better ſecured to enjoy the intended Effects of ſuch Laws, as ſhall be ſo made with the Royal Aſſent, that eſpecial care be taken that all Officers of State, and other Miniſters of Juſtice, may be Perſons of Honour, of conſiderable Intereſt, and of known Integrity to the Parliament and Kingdom.

9. That the Parliament would pleaſe to provide for the carrying on of the Affairs in *Ireland*, by a ſpeedy tranſporting the Forces which lie ready on the Sea-ſide, and ſuch others as ſhall be willing to engage in that Service, and by ſuch continual Supplies as are requiſite to reduce that Kingdom to the Obedience of the Crown of *England*, and reſcue the good Party left there, out of the bloody Hands of thoſe barbarous Rebels. And for the better encouragement of the Subjects of this Kingdom to continue their Supplies for that Service, that with as much ſpeed as conveniently may be, the Parliament will pleaſe to take care that the People be eaſed of ſuch extraordinary Charges and Burthens as have long lain, and ſtill remain upon this Kingdom.

10. That by juſt and good means the Correſpondence with our Brethren of *Scotland*, may, according to the National Covenant, be maintained and preſerved.

11. That this Honourable Houſe would pleaſe to give Order for a ſpeedy Examination of all unlawful Elections and Returns of the Members thereof, and purge the Houſe of all ſuch as have been unduly choſen, or have been in Arms or in Action againſt the Parliament, and provide for the ſupply of their Rooms, according to the Laws of the Land.

12. That ſome ſpeedy courſe may be taken for the deciding of all Cauſes formerly determinable in the Court of Admiralty, the Trade and Navigation of this Kingdom, and the Correſpondence with Foreign Nations being very much prejudiced, diſturbed, and endangered for want of due proviſion herein, as hath formerly been at large repreſented unto the Honourable Houſe.

13. And laſtly, That Satisfaction being made by Delinquents, according to the Wiſdom of Parliament, an Act of Oblivion may be paſſed for an utter Abolition and final Reconcilement of all Parties and Differences; and

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for the quiet settling of Peace, Love, and Unity among the Subjects of this Kingdom.

All which the Petitioners submit unto the Wisdom of this Honourable House.

Answer to the City Petition.

This Petition was read in both Houses, and the Presenters had Thanks for their constant and good Affections to the Parliament, with this further Answer, that the Particulars of the Petition were many and long, and a great part thereof under Consideration already, and the rest they would speedily consider on.

A Petition of Chester *to pay off the Garrison*

A Petition of the Inhabitants of *Chester* was read, and ordered, that it be referred to the Committee of *Chester* to advance so much Money upon the Credit of the Ordinance for 60000 *l. per Mensem,* as will pay the Arrears of the Soldiery of the Garrison of *Chester,* since the 25*th* of *March* last, to be paid to the Soldiery of the Garrison, that they may consider of lessening that Garrison; and the Petitions then tendered from the said County be referred to this Committee.

Several Orders were then also made in reference to the Affairs of *Ireland, viz.* That 2600 *l.* be paid out of *Weavers-Hall,* to the Lord of *Ormond,* being part of the Moneys formerly ordered him out of *Goldsmiths-Hall.*

That 7000 *l.* be paid out of *Weavers-Hall,* for the transporting of the Regiment of Horse of Colonel *Ponsonby*'s into *Ireland,* and for Provision and Arms for them before their Transportation.

Soldiers come off from the Army, to be reduced into Regiments for Ireland.

That the Forces that are come off from the Army be mustered, and speedily advance for *Ireland,* and that they be reduced into Regiments, according to the numbers the Regiments for *Ireland* are to consist of, and herein they are to have respect to the Colonels that have the most Forces in their Regiments.

Receive a Month's Pay in part.

That those Forces drawn off from the Army, and engaged for *Ireland,* shall have a Month's Pay, as part of the Arrears due to the Forces of the Army, that are drawn off, out of the 10000 *l.* formerly appointed for such as did draw off from the Army.

That after the Receipt of this Month's Pay, the several Forces for *Ireland,* are to march to the Sea-side, where they shall receive Conditions promised by former Vote: And the Committee of *Ireland* is to see this performed accordingly.

Commissioners for Munster.

That three Commissioners be sent into *Munster,* and referred to the Committee of *Irish* Affairs to consider of fit Persons.

A Petition from Essex.

One of the Knights of the Shire of the County of *Essex,* presented a Petition this Day to the House, of the Gentry and others of the Division of *Lexon* in *Essex,* and Parts adjacent, the Gentlemen who brought the Petition were called in, and were acquainted that the House did take notice of delivering it, which was very Parliamentary; that the Petition was very Modest, and full of good Intentions and Expressions to the Publick; for which, and all the constant good Affections, they had the hearty Thanks of the House given them.

The Petition from *Norfolk* and *Suffolk* was likewise presented to the House, and ordered, that when the Generals therein shall be reduced to Particulars, and tendered to the House, they will consider of them, and do Justice upon whomsoever they concern. The Petition follows at large, *viz.*

The

The Humble Petition of the peaceable and well-affected Inhabitants of the Counties of Norfolk *and* Suffolk, *together with the City and County of* Norwich, *earnestly endeavouring after the Prosperity of this our High Court of Parliament, and the speedy Establishment of the Peace, Liberties, and Freedoms of the Kingdoms; presented to the Honourable House of Commons, upon* Friday, July 2. *by above a hundred Gentlemen and Free-Commoners, in the Name of many Thousands that did subscribe it. With the Resolutions of the House of Commons thereunto annexed.*

To the Honourable House of Commons assembled in Parliament.

The Humble Petition of the peaceable and well-affected Inhabitants of the Counties of Norfolk *and* Suffolk, *together with the City and County of* Norwich.

Sheweth,

THat your Petitioners cannot but with all Thankfulness acknowledge the great Goodness of God in casting our Lot in a free Nation, wherein so high and honourable a Court as a Parliament, is appointed to interpose between the People and all Tyranny and Oppression, and the special manifestation of this Goodness, in calling together this Parliament in a time of such imminent danger of the loss of all the Subjects Liberties; and likewise we cannot but be sensible of the special concurrence of the Divine Power with your Counsels, Endeavours, and Agents, whereby many Grievances were redressed, Burthens removed, and the decays of our Nation began to be repaired, and the Hearts of all the well-affected filled with large hopes of beholding again the Glory of the Free-born *English* Nation. But with grief of Heart we are constrained to declare to this Honourable Court, that our living Hopes begin to fade, and are almost exchanged into dying Fears, while we sadly behold the same Corruptions in the Courts of Judicature still remaining, that the Subjects have for many Years groaned under; the displacing of many Men of known Fidelity, in their engagement for the preservation of the Subjects Liberties, out of the Militia of the great City of our Kingdom, and the undermining the fundamental Liberties of our Nation, by discouraging of the Free-Commons of *England* from presenting, in the most humble way, their Grievances; all which we humbly conceive to proceed from some Members sitting in this Honourable House, against whom the Free-Commons of *England* have not had Liberty to bring in their Accusations and Charges. Wherefore while we are groaning under afflicting Fears, that the sad Apprehensions of those growing Miseries should so foment Jealousies in the Peoples Hearts, that the old design against the Kingdom's Liberties in now acted and managed in a new Form, that thereby the distraction of the Kingdom should be augmented, and the Subjects prevented of their enjoyment of a safe, well-grounded, and long-expected Peace. We cannot but humbly implore this Honourable House,

That the Corruption in the Courts of Judicature might be speedily considered by this Honourable House. That the Places of Trust in our yet distracted Kingdom might be committed to those who have faithfully interested themselves in the common Cause of preserving the Subjects Liberties. And that the removal of every such Person or Persons out of any Places of Trust whatsoever might be speedily debated and determined. That a Declaration be forthwith published to the Kingdom, to declare the Liberty and Duty of all and every the Free-Commoners, to present to you all manner of Grievances whatsoever, with such Offers of Remedy as the Wisdom of God shall direct them to propound, as also the Liberty of every Free-Commoner to repair freely to this Honourable House, with all Accusations and Charges against any Member whatsoever sitting in Parliament. And that every Member remaining under any Charge (either of Incapacity of admission into the House, or

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or unfaithfulneſs in his Truſt) might immediately be ſuſpended from acting in the Affairs of the Kingdom (whereſoever Proofs of any ſuch Charge be offered) till he be either judged or acquitted; that hereby every Subject's Heart and Mouth might be void of all exceptions againſt this Honourable Houſe, that ſo all Miſunderſtandings between you and your Army might be prevented, and the hopes of all thoſe utterly fruſtrated, that under any pretence whatſoever (to maintain their own Intereſts) would foment Diviſions between you and them, to the embroiling the Kingdom again in Blood; that then a happy Peace might be built upon the Foundations of Judgment, Juſtice, and Righteouſneſs, and the Glory, Freedom, and Happineſs of our Nation, may countervail all the Blood and Treaſure that hath been expended in their juſt Proſecution.

And your Petitioners ſhall ever pray, &c.

Die Veneris, 2 *Julii,* 1647.

A Member of the Houſe did tender a Petition to the Conſideration of the Houſe, entituled, *The humble Petition of the peaceable and well-affected Inhabitants of the Counties of* Norfolk *and* Suffolk, *together with the City and County of* Norwich; the which was read.

Reſolved, *&c.*

That an Anſwer be returned to this Petition.

Reſolved upon the Queſtion, by the Commons aſſembled in Parliament, that this ſhall be the Anſwer.

'That when the Generals ſhall be reduced to Particulars, and 'tendered to the Houſe, they will take them into due Conſidera-'tion, and do Juſtice upon them whomſoever they concern.

Mr. *Gourdon* and Mr. *Heveringham* are appointed to deliver the Petitioners this Anſwer.

A Pamphlet diſclaimed as followeth.

Letters came this Day from the General's Head-Quarters at *Wickham*, whereof one was a Paper, or Declaration of the General and Council of War, diſclaiming a ſcandalous Pamphlet, intituled, *Heads preſented by the Army to the King's Majeſty, the* 19th *of* June *laſt*; and another ſcandalous Paper. Their Anſwer thereunto is as followeth, *viz.*

This Day was read a Paper delivered to the Commiſſioners for the City of *London*, *July* 1. from the General and Officers of the Army, diſclaiming a Pamphlet, intituled, *Heads preſented by the Army to the King's Majeſty, on* Saturday, June 19, 1647.

WHereas we find a Pamphlet lately printed and publiſhed, bearing the Title of *Heads preſented by the Army to the King's Majeſty, on* Saturday, June 19, 1647. though we think it will, of it ſelf, appear a confuſed, heedleſs Piece; ſo ſurreptitiouſly crept forth, and in ſuch a pure Pamphlet-Dreſs, as we hope it will gain little belief to our prejudice; yet to avoid any Jealouſies or doubtful Thoughts, which it might poſſibly breed in any honeſt Mind, we cannot but take notice of it; and for vindication of the Army, we do hereby declare, That the ſaid printed Pamphlet is moſt falſe, ſcandalous, and injurious to us and this Army, neither hath there been any ſuch Paper preſented to His Majeſty by or from this Army: And the ſame we profeſs and declare, with great deteſtation, concerning another written Paper, whereof we had a Copy ſhewed to us Yeſterday by the Commiſſioners of the City, intituled, *Articles agreed upon between the King and the Army, the 16th of* June. And we deſire all that wiſh well to the Army, or the King, or Peace of this Kingdom, that they would do their beſt to find out and diſcover the Authors and Publiſhers of the ſaid Papers and Pamphlets, or any thing elſe of that Nature that may be divulged concerning the Army, to interrupt or prejudice the preſent ſettling and compoſure of Affairs. And we hope it will not be further needful or expected from us, that we ſhould give particular Anſwer to every ſuch ſcandalous Paper, which the Malice of our Enemies may forge againſt us; but that

that what we have published to the World in our Representation and other Papers avowed by us, may serve to clear our Intentions, until we shall appear to act something to the contrary.

Signed, Wickham, July 1, 1647. *By the Appointment of his Excellency Sir* Thomas Fairfax, *and his Council of War.*

Jo. Rushworth.

There came Letters also to the House, from the Commissioners with the Army, and therein inclosed two Letters from the General, dated *July* the first, at *Wickham*, whereof one of them gave to understand, that the General had that Day appointed Lieutenant-General *Cromwel*, Commissary-General *Ireton*, Colonel *Fleetwood*, Colonel *Rainsborow*, Colonel *Harrison*, Colonel Sir *Hardress Waller*, Colonel *Rich*, Colonel *Lambert*, Colonel *Hammond*, and Major *Rainsborow*, to treat and debate with the Commissioners of Parliament, upon the Papers and *Desires sent from the Army to the Parliament*, and the Votes sent to the Army, according to the Order of both Houses, of the *26th* of *June*, 1647. And the other Letter was in Answer to the Vote of the House on *Tuesday* last, that a particular Charge should be delivered into the House against the Eleven Members by this Day: The General returning this Answer thereunto, 'That as he finds a great Willingness in his Council of War, to answer the Expectation of the House in all things, so in this Particular, but the things being of that Importance to the Kingdom, and the Persons charged so many in number, hath taken up more time than was expected; and therefore desire that it may be respited until *Tuesday* next, at which time they will not fail to bring it in; and that the Kingdom shall then see they have not impeached the Gentlemen out of any private Respects, but in Affection and Duty to the Publick.

The Army appoints Officers to treat with the Parliament's Commissioners upon the Desires of the Army.

There was further also a Copy of a Proclamation from the General, forbidding any Abuse or Obstruction to be offered to any Officers of Parliament, in levying the Excise, or other Assessments.

Excise.

From the Army came further this Evening, That His Majesty went on *Thursday* from *Hatfield* towards *Windsor*, where He expected to see his Children, of which He was very desirous, but intended not to stay there above a Day or two, but remove some further Distance from *London*.

The King removed from Hatfield *to* Windsor.

The Treaty with the Parliament's Commissioners, and the Commissioners from the Army, began this Morning, as was appointed. The Head-Quarters of the Army it is supposed will be removed on *Saturday* to *Reading*.

The Treaty begun with the Parliament's Commissioners.

Saturday, July 3. A Letter was this Day read in the House of Commons, which came from *Chester*, giving to understand a late *Mutiny* of the Soldiers there, in a very high manner, and the strange Courses they took.

A high Mutiny by the Soldiers in Chester.

The House ordered, that 2000 *l.* more should be added to the former Sum, for the Payment of them, and that it should be referred to the Committee of *Chester* to consider of this *high Mutiny*, and of reducing the Number of that Garrison.

Order for Pay.

A Report was made to the House concerning a Petition formerly referred, of one Mr. *Goodwine* a Curate, who used very scandalous and uncivil Terms to many Members of the House, for an Answer of that Petition. The Petition was reported to the House, and ordered thereupon, that the Petitioner hath no cause of Complaint,

Petition by Mr. Goodwine, *a Minister, who spoke scandalously of Members.*

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plaint, that the Petition is scandalous, and that he deserves to be punished for his Incivilities.

A Month's Pay for Soldiers in the North.

An Ordinance was this Day read, for giving the Forces of the *Northern* Association a Month's Pay, which was assented unto.

Ordered likewise, that the Committee of Sequestrations of *Kent*, do pay six Month's Pay to the Garrison of *Dover*.

Prince Elector to visit His Majesty.

A Letter was this Day read in the House of Commons, from the *Prince Elector*, intimating his Desires and Intention to attend upon His Majesty, whom he understood was come as far as *Windsor*, to give a Visit to his Children. The House had some Debate of the Prince Elector's Desires, and ordered to leave it to his own Pleasure.

The Treaty enter'd upon with the Army.

A Letter was read in the House from the Commissioners with the Army, giving to understand, their entering upon *Treaty with the Army*, and the manner of their Proceedings therein.

The Army at Reading. *The King at* Causum.

The Head-Quarters of the Army it is certified were removed this Day to *Reading*; and His Majesty was gone back from *Windsor* to the Lord *Craven*'s House near *Causum*.

CHAP. XVI.

PROCEEDINGS *in Parliament from* July 5, *unto* August 1, 1647.

Monday, July 5.

A Penalty on Members.

THE House of Commons this Day further considered of the Vote of the House, *June* 10. last, against Members sitting in the House, that are not duly Elected, or that have assisted the King in the late War against the Parliament: And it was further debated, whether a Penalty should not be added to that Vote; and upon the Result, it was voted, that a Penalty should be added.

Not to sit in the House.

Ordered further, that such Persons as have sued for, or accepted Pardons from His Majesty, such as have directed, advised, assisted, signed, or consented unto the Cessation of *Ireland*, or assisted the Rebellion of *Ireland*, shall be comprehended within the said Vote of 10 *Junii*, and shall not presume to sit in the House; and likewise such as stand Sequestred by Authority of Parliament, for Delinquency, shall not presume to sit in the House.

Ordered further, that the House take into Consideration to Morrow, what this Penalty shall be, to such, that contrary to the Vote, shall *presume to stay in the House*.

Trinity-House. Seamen's Distempers.

The Petition of the *Trinity-House* at *Deptford* was read, and many of the Petitioners called into the House, and acquainted them with the many great Distempers that are happened among the inferior sort of Seamen, which was because they had not Power to prevent Mischiefs. And, Secondly, Because they wanted a Judge-Advocate. That the Ordinance then tendered to be read, for giving that House further Power, shall be read on *Thursday* next.

Persons excepted from Mercy.

This Day the House of Peers had debate of the Propositions for Peace to be sent to the King, and insisted upon the Persons exempted out of Mercy. And their Lordships thought fit to have Prince *Rupert*, Prince *Maurice*, the Marquis of *Newcastle*, Lord *Jarmin*, Sir *John Stranguidge*, and others, to the number of twenty five in all, to be left out of that Qualification, and put into the next. The further Consideration was referred till another time.

Treaty with the Army.

By Letters from the Commissioners with the Army it was this Day certified, that the *Treaty goes fairly on*, and thereupon we have great hope of a fair Composure. The manner of their Proceedings in the Treaty, with the Copies of the several Papers, from the first Meeting, is as followeth.

A Method for the Treaty with the Army.

At the Treaty begun, *Wickham*, *July* 2, 1647. Present of the Commissioners of the Parliament, Earl of *Nottingham*, Lord *Wharton*, Field-Marshal *Skippon*, Sir *Henry Vane*, Junior, Sir *Thomas Widrington*, Colonel *White*, *Thomas Scawen*, Esq; and *Thomas Povey*, Esq;

Present of the Commissioners for the Army, Commissary-General *Ireton*, Sir *Hardress Waller*, Colonel *Rich*, Colonel *Lambert*, Major *Desborow*.

For the Method of Proceedings it is offered by the Commissioners of Parliament, that seeing the Treaty is to be had upon the Papers and Desires sent from the Army to the Houses, and the Votes of the Houses sent to their Commissioners residing with the Army,

1. That in all Matters to be treated on, there shall be a free Debate had by Conference.

2. That the Results of such Debates, in Points that relate to the Desires of the Army, shall be by Commissioners of Parliament delivered to the Commissioners of the Army, in Writing, to be presented to the Council of War, for their Consideration, that a speedy Conclusion may be thereupon had.

3. That in this Treaty nothing shall be taken for the Desire, Opinion, or Resolution of the Commissioners on either part, but what is given in Writing, Signed by their respective Secretaries.

4. That in the managing of the Treaty, and for the more speedy expedition, that at any time Papers, Signed as aforesaid, may be sent and received betwixt the Commissioners upon imergent occasions.

5. That we shall be desirous to hear from the Commissioners of the Army, the way and method wherein they intend to proceed in the managing of the Desires of the Army, wherein we shall not doubt, but that they will take such Courses as may tend to the greatest Expedition.

6. That Meetings of the Commissioners shall be from time to time by mutual Agreement of the Commissioners, or upon the desire of either Party respectively, at such place within the Head-Quarters, as the Commissioners for Parliament shall appoint.

Wickham, from the *Catharine-Wheel*, 2 *July*, 1647.

Signed by the Appointment of the Commissioners of Parliament.

Geo. Pyke, *Secretary*.

To

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To the Officers of the Right Honourable the Commissioners of Parliament. For the Method of Proceeding, the Commissioners of the Army do answer.

The Army's method to treat.

1. TO the first, we agree fully. 2. To the second, we agree. 3. To the third, we wholly agree. 4. To the fourth, we agree. 5. To the fifth, we shall willingly perform what is desired, at least in parts from time to time, as there is occasion; but we desire that there may be no stop to the proceeding in the Treaty, upon any part of things to be treated on in expectation of a general Method for the whole. 6. To the sixth, we wholly agree.

Wickham, Catharine-Wheel, July 2, 1647.

Signed by the Appointment of the Commissioners of the Army.

Wil. Clarke.

This Paper following was delivered in by the Commissioners of the Army, in Answer to some verbal Objections made by the Commissioners of the Parliament, at a private Debate or Conference.

A Paper delivered in by the Commissioners of the Army.

HAving heard the Objections of your Lordships, and the rest of the Commissioners, to the Things we proposed, as wanting in the late Votes of the Houses, in relation to the desire of the Army sent from *Uxbridge, June* 27, 1647. We are satisfied to lay aside some of these Particulars, and to insist only on these following, which we humbly desire the Parliament would be pleased to consider.

Things wanting in the late Votes of the Houses, in relation to the Desires of the Army, sent from Uxbridge, June 27, 1647.

To the first desire, That either the Declaration mentioned in that Article, may be recalled, or else that it may be further declared, that those that shall, contrary to the Order of *June* 28, leave the Army, shall not have any benefit of that former Declaration for present payment of Arrears.

To the second, That the provision may be quickned with Effect.

To the third, Whereas on *Tuesday, June* 28, it was voted, that those that had left the Army, should forthwith be either sent over into *Ireland*, or disbanded; and it was referred to the Committee for *Ireland* to consider how that Vote may be put in Execution, and report their Opinion on *Thursday* Morning then next following, now since we hear not of any Report made thereupon, or any further care taken therein (after 5 or 6 Days relapsed) we humbly desire, that in case they be not without further delay sent and shipt for *Ireland*, they may forthwith be discharged, and disperst.

To the fourth, We desire that the Ordinance for the purpose in that Article pressed, may be speedily past, and put in Execution.

To the sixth, We desire, that the Establishment intended for present Maintenance of the Army (as also Provision for Arrears) may be hastned with Effect.

Little being yet done in relation thereunto, we have several things of weight to offer, which we conceive will very much conduce to the present preserving of the Peace and Safety of this Kingdom; for the preventing of a new War, and to the sending of some Present relief for *Ireland*, which we shall next offer.

Reading, July 5, 1647.

By the Appointment of the Commissioners of Parliament.

Thomas Margets.

A Proclamation against Plunder.

The Head Quarters continue at *Reading*: Some complaints have been made to the General of abuses committed by divers Soldiers, and for preventing thereof for the future, his Excellency hath set forth a Proclamation, charging and requiring all Soldiers whatsoever

ſoever, to forbear taking of Horſes from any Perſon whatſoever, without ſufficient Warrant, or to compel any Perſon where they quarter, to give them any Money, and in further purſuance thereof, his Excellency hath alſo granted Commiſſions to the Colonel, Lieutenant Colonel, or Major of every Regiment, for puniſhing of Offences by a Council of War in each Regiment. 22 *Caroli* I.

The Prince *Elector* came this day to the Court, at the Lord *Craven*'s Houſe by *Cauſum*, to viſit his Majeſty. *Prince* Elector

Tueſday, *July* 6. The Houſe ordered to ſit every day at 8, and the Committee of *Goldſmiths-Hall* to report till 9, and the Houſe to riſe at 12, the Committees may meet for diſpatch of Buſineſs in the Afternoon.

The Houſe conſidered of the Buſineſs of the Army, and made ſeveral Votes as followeth. 1. The Treaſurers of *Goldſmiths-Hall* ſhould pay the Treaſurers of the Army, the remainder of 200000 *l.* formerly appointed for the Army, as it doth ariſe. *Money for the Army.*

That the Committee and Treaſurers of the Army, have Power to bring in the Aſſeſſments of the 60000 *l. per Menſem*, as they had for bringing in the Aſſeſſments for the Army.

That 20000 *l.* be paid by the Treaſurers of *Weavers-Hall*, to the Treaſurers at War, towards the Month's Pay for the Army.

That the like Power be given to the Committee and Treaſurers at War, for allowing Free-Quarter, in like manner as they did allow it formerly in the Aſſeſſments for the Army in Aſſociation.

That 6000 Copies of the Ordinance of 60000 *l. per Menſem* be ſent into the ſeveral Parts of the Kingdom.

That all ſuch Garriſons as were formerly voted to be diſmantled, be forthwith diſmantled accordingly, and that the Committee of *Derby* Houſe do ſee this done.

It was referred to the Committee of *Ireland*, to diſtribute the 25000 *l.* part of the Money aſſigned for *Ireland*, to the ſeveral Provinces of *Ireland*. Ireland.

This day alſo the particular Charge againſt the Eleven Members, was brought to the Houſe of Commons, by Colonel *Scroop*, Colonel *Okey*, Colonel *Hewſon*, Colonel *Pride*, Lieutenant Colonel *Bowen*, Lieutenant Colonel *Goffe*, Major *Rainsborough*, Captain *Berry*, Captain *Clerke*, Captain *Carter*, Captain *Ralph*, Captain *Saxby*, and Mr. *Gethings*, who attended at the Commons Door, and the Houſe having notice thereof, they were called in; Colonel *Scroop* ſpake to this effect: 'That by the Appointment 'of the General and Army under his Command, and in their 'Names, they were to preſent a particular Charge or Impeach-'ment againſt the Eleven Members. Which being done, and they deſired to withdraw, the Members impeached were ſent for in, and the Charge read in the Houſe, but the Day being far ſpent, the Debate thereupon was put off till Thurſday next; at which time the Officers of the Army were to attend, and receive an Anſwer from the Houſe. *Charge againſt the 11 Members brought in by the Army.*

A Paper delivered by the Commiſſioners of Parliament, Wedneſday, July 7, 1647.

'THat finding the Expectation of the Parliament and the Kingdom to be very great upon the ſpeedy Progreſs and happy Iſſue of this Treaty; in conſideration whereof, we have made it our care conſtantly to attend at the appointed times of meeting, and to preſs and diſpatch all therein: And we cannot but take notice, that the Proceedings on your part, have been and are

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are very ſlow, and that little or nothing have been done in the Treaty ſince our Entrance thereupon; and therefore in diſcharge of our Duty, and the Truſt repoſed in us, we do very earneſtly deſire, that the Treaty may be effectually proceeded on with all expedition, and the times for meeting punctually kept, there being nothing that ſhall be wanting in us, according to the Power given us, to further a Work of ſo great Importance, and which may perfect a right Underſtanding betwixt the Parliament and the Army.

Reading, July 7, 1647.

Signed by the Appointment of the Commiſſioners reſiding with the Army.

George Pyke, *Secretary.*

An Anſwer of the Commiſſioners of the Army, to the Paper of the Commons of Parliament, about a ſpeedy Proceeding.

BY the laſt Paper delivered in unto us from your Lordſhips, at *Reading*, the 7th of *July*, we perceive you find that the expectation of the Parliament and Kingdom is great upon the ſpeedy Progreſs, and happy Iſſue of this Treaty. We anſwer that we do really apprehend the ſame things with you; neither can we but witneſs, that you have conſtantly attended the appointed times of Meeting, and preſs'd Diſpatch therein; nevertheleſs, we cannot but be very ſenſible, that you ſeem to reflect on us further than there is juſt Cauſe, in your taking notice that the Proceedings herein ſhould be ſlow and dilatory on our part, as if we ſhould not ſeem to deſire and labour the quick and ſpeedy ſettlement of the Affairs of the Kingdom, in a ſafe and well-grounded Peace, as cordially as any Perſons whatſoever. We ſhall therefore deſire you to remember with what forwardneſs we have in the firſt place preſented to you thoſe things which we did in our Hearts conceive neceſſary in order to a Treaty, and without which granted, we could not with Safety to the Kingdom, and Satisfaction to our ſelves, proceed in Treaty; and further preſs'd you to preſent them to the Parliament with ſpeed, that a quick diſpatch might be had therein, as being, in our Thoughts, the chiefeſt and ſureſt way to prevent the engaging this Kingdom in a ſecond War, when, contrary to our Expectations, we have found little effectually done in relation to our deſires in thoſe things moſt concerning the Safety and Peace of the Kingdom.

To the end therefore we may acquit our ſelves of being guilty of the delay you mention, and that it may appear to all Men where the Stick is, of not proceeding in the Treaty, to a Settlement of the Peace of the Kingdom, ſo much thirſted after by us all, we thought fit to remind you of theſe following Propoſals, which we have formerly inſiſted upon, and to which Satisfaction is not given.

1. That there is nothing done with effect, notwithſtanding the Votes of the Houſe, to the diſperſing of the Reformado Officers, who ſtill continue in and about *London*, ready to head Forces, to the apparent hazard of a new War.

2. That notwithſtanding the Votes of the Houſe for the ſpeedy ſending into *Ireland*, or disbanding thoſe Forces which left the Army, and their ſpecial Order to the Committee at *Derby-Houſe* to take ſpeedy care therein, yet they are ſtill continued in Bodies in and about *London*; and, as we hear, are daily liſting more Force, pretending the Service of *Ireland*.

3. That notwithſtanding the Votes of the Houſe, of the 10th of *June*, and thoſe ſince of the 5th of *July*, for the preſent purging of the Houſe, yet divers Perſons compriſed in thoſe Votes ſtill continue to ſit there.

So long as we remain unſatisfied in the two firſt of theſe Particulars, we cannot be ſecured from thoſe Doubts we have expreſſed of the danger of a new War; eſpecially if it be conſidered, that the end of inviting ſo many Refor-

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Reformado Officers to *London*, was to lay a Foundation of a new War; and was principally carried on by the design of some of those Members of the House of Commons we have impeached. And likewise that divers of the Officers and Soldiers which left this Army, were procured by Promises of Pay, and other Engagements, which were likewise designed by the same Persons aforementioned, if possibly they might thereby have broken this Army.

And for the last, What comfortable effect may we expect of a Treaty, so long as the Parliament (the supream Judicatory of the Kingdom) is constituted of some that are Men of Interests, contrary to the common-good thereof, from whom we can expect nothing but banding, and designing to obstruct and frustrate all Proceedings (contrary to their Interests) though never so essential to the happy Settlement of the Kingdom; and if a seasonable Remedy be not given herein, we despair of any good to the Kingdom by way of Treaty.

Reading, July 7, 1647.

Signed by the Appointment of the Commissioners of the Army.

William Clerke, *Secretary.*

Wednesday, July 7.

Wednesday being the last Day of the Term, whereby the Speakers of both Houses could not be absent from the Chancery, and the Members having other extraordinary occasions in relation to the Term, therefore the House adjourned till *Thursday*.

This Day Monsieur *Beleure*, the *French* Ambassador, came to *Causum*, and was entertained with very great respect at Court, and had Audience of His Majesty in the Presence Chamber.

Thursday, July 8. Reports were this Day made to the House, of the List of the Judges for this next Circuit, and passed as followeth, Baron *Trevor* and Justice *Phesant*, for *Norfolk* Circuit; Justice *Bacon*, Serjeant *Creswell*, for *Essex* Circuit; Justice *Rolle*, for *Lincoln* Circuit; Baron *Atkin*, Serjeant *Clarke*, for *Oxford* Circuit; Justice *Godbolt*, Serjeant *Wild*, ——— Serjeant *Jermin*, Serjeant *Green*, for other Circuits. *Judges for the Circuits.*

Ordered further, that the Committee appointed for preparing Instructions for Judges do meet this Afternoon, and bring them in on *Monday* Morning next.

The Sheriffs of *London*, and certain of the *Militia*, came down to the House this Day, and acquainted the House, that they were commanded to present a Petition, which was read, and it was to desire 20000 *l.* out of *Weavers-Hall*, for *defraying the Charge of the Militia*, and that the Ordinance past the 11*th* of *June* last, for raising Horse for defence of the City, may be renewed, the time being expired. *Militia of London to raise Horse.*

The House ordered, that the Power of the Militia of *London*, which they shall have by this Ordinance, shall not exceed the raising of *one Regiment* of Horse to the number of Six hundred.

That the Militia of *London* be desired to give order, that the *Guards* appointed to attend the Houses, may be at the Houses by *Seven of the Clock* at farthest, daily. *Guard.*

Friday, July 9. This Day Letters were read in both Houses from His Excellency Sir *Thomas Fairfax*, concerning the King and the Peace of the Kingdom; the Business being of that Concernment, we will give you the Letters *verbatim*, as followeth.

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The General's Letter to the Parliament, concerning the King.

Mr. Speaker,

I *Was sent unto by the King on* Friday *last, to desire the Parliament to give way to him to see his Children, and that they might for that purpose be sent to him. If I may be bold humbly to offer my Opinion, I think the Allowance of such a Thing may be without the least prejudice to the Kingdom, and yet gain more upon His Majesty than denying it ; and if it be in the Prayers of every good Man, that his Heart may be gained, the performance of such Civilities to him is very suitable to those Desires, and will bear well with all Men, who (if they can imagine it to be their own Case) cannot but be sorry if His Majesty's natural Affection to his Children, in so small a thing, should not be complied with ; and if any Question should be concerning the Assurance of their return, I shall engage for their return, within what time the Parliament shall limit.*

Upon that occasion, give me leave, I beseech you, to take notice of some Reports spread abroad, as if my self, and the Officers of the Army, were upon some under-hand Contract or Bargain with the King ; and from thence occasion is taken to slander our Integrity, and endeavour a misunderstanding betwixt the Parliament and their Army ; the Fidelity of which to the Parliament and Kingdom, and their Affection to it, are the great Objects of many Mens Envy ; because they see nothing so likely to settle Right and Freedom with Truth and Peace to us and Posterity, and to hinder their designs against the same, as an Harmony and good Accord between the Parliament and Army, which is the Joy of good Men, and it shall be our Study to preserve against all Designs, and Designers to the contrary.

To prevent therefore all Misunderstandings of that kind, I thought with all clearness to declare unto you, That we have done nothing, nor shall do any thing which we desire to hide from you or the World, or shall not avow to the Faces of our greatest Adversaries.

Our Desires concerning a just Consideration and Settlement of the King's Right (His Majesty first giving his Concurrence to settle and secure the Rights and Liberties of the Kingdoms) we have already publickly declared in our Representation and Remonstrance. Since the first of those Papers sent unto the Parliament, there have been several Officers of the Army, upon several Occasions, sent to His Majesty, the first to present him a Copy of the Representation ; and after that some others, to tender him a Copy of a Remonstrance ; upon both which, the Officers sent were appointed to clear the Sense and Intention of any Thing in either Paper, whereupon His Majesty might make any question. 'Since then there have also been some Officers at several times sent to His Majesty, about his remove from Hatfield, *to disswade, if possibly, from* Windsor, *or any place so near* London, *to some place of further distance, answerable to what we had desired of the Parliament. In all which Addresses to His Majesty, we care not who knows what hath been said or done ; for as we have nothing to bargain for or ask, either from His Majesty or the Parliament, for advantage of our selves, or any particular Party or Interest of our own, so in all these Addresses to His Majesty, we have utterly disclaimed and disavowed any such thing ; but the only intent and effect of those our Addresses hath been, to desire His Majesty's free Concurrence with the Parliament, for establishing and securing the common Rights and Liberties, and settling the Peace of the Kingdom, and to assure him, (that the Publick being so provided for, with such His Majesty's Concurrence) it is fully agreeable to our Principles ; and we should be desirous and endeavour, that (with and in such settling of the Publick) the Rights of His Majesty's Royal Family should be also provided for, so as a lasting Peace and Agreement might be settled in this Nation ; and that as we had publickly declared for the same in general Terms, so if things come to a way of Settlement, we should not be wanting in (in our Spheres) to own that general desire, in any Particulars of natural or civil Right to his Majesty's Person or Family, which might not prejudice, or again endanger the Publick ; and in the mean time, that his Majesty should find all personal Civilities and Respects from us, with all reasonable freedom that might stand with Safety, and with the Trust or Charge lying upon us concerning his Person.*

You have here the utmost Sum of what hath passed from us to His Majesty, and we could wish all Men did rightly understand (without misrepresentation) every Particular wherein (as we know nothing not agreeable to Reason, Justice, Honesty, or Conscience, so) we thought our selves concerned the rather to say and do as we have towards His Majesty, since he came within our Quarters, because of those common Prejudices suggested against us, as if we were utter Enemies to Monarchy,

and

22 Caroli. I.

and all Civil Order or Government. And for that Particular of the Duke of Richmond, *and the two Chaplains lately permitted to attend His Majesty, it was not done without much reluctancy, because therein we doubted we might be misunderstood by the Kingdom's best Friends.*

But upon His Majesty's continuing Importunity for it (as a Thing very nearly concerning his inward and outward Contentment, and conceiving those Persons such (as we hoped) would not do ill Offices to prejudice the Peace of the Kingdom, we did give way to it, and the Persons, before they came, had notice of Permission. And as we then thought, so we still do think, that to allow him some such Company of Persons least dangerous, whom former Acquaintance may make him take pleasure in; and the allowance of some such Chaplains of his own, are things both reasonable and just; and the debarring of that Liberty in the latter, we doubt, will but make him more prejudiced against other Ministers.

In general, we humbly conceive, that to avoid all harshness, and afford all kind usage to His Majesty's Person, in things consisting with the Peace and Safety of the Kingdom, is the most Christian, honourable and prudent way: And in all things (as the Representation and Remonstrance of the Army doth express) we think that tender, equitable, and moderate Dealing, both towards His Majesty, his Royal Family, and his late Party (so far as may stand with Safety to the Kingdom, and Security to our common Rights and Liberties, is the most hopeful course to take away the Seeds of War, or future Feuds amongst us for Posterity, and to procure a lasting Peace and Agreement in this now distracted Nation; to the effecting and settling whereof (with a secure Provision first to be made for the common Rights and Liberties of the Kingdom, and a due care to preserve and propagate the Gospel of Truth and Peace amongst us) we shall hope, that neither the Parliament, nor His Majesty, will be wanting. And if God shall see it good to make us any way Instrumental thereunto, or that we may otherwise see the same accomplish'd, we shall then think our selves indeed discharged from the publick Engagements we have been called out unto, more clearly and effectually than (before such things were settled) we could have thought our selves to be, and to demonstrate our clearness from seeking Self-advantages in what we did, we shall henceforth account it our greatest Happiness and Honour (if God see it good) to be disingaged and dismiss'd, not only from our Military Charges, but from all other Matters of Power or Publick Employment whatsoever.

I have in these things spoke not in my own Name alone, but in the Name (because I find it to be the clear Sense of the generality, or at the least of the most considerable part) of the Army; and I am confident, you and the Kingdom will never find it otherwise. I shall leave it to your favourable Construction, and commit all to the Goodness of God for an happy Issue. I remain your humble Servant,

Reading, July 8, 1647.

Tho. Fairfax.

Ordered, That the Charge of the Army shall be debated to Morrow Morning the first business, and nothing to intervene.

Reduced Officers and Soldiers to depart the City.

Saturday, July 10. An Ordinance passed both Houses for disbanding Soldiers, and others pretending to be reduced Officers and Soldiers, to depart the Lines of Communication by the 15th of *July* next, and that they shall not return to *London* within the space of two Months, and the execution of the said Ordinance was referred to the Committee of Militia of *London*.

Tumultuous Meetings and Listings.

The House had debate concerning some late *Tumultuous Meetings in London*, and declared against all such unlawful Meetings, giving also Power to the Committee of the *Militia* of *London*, to *suppress* all such Meetings, upon pretence of Listing or otherwise, and commit such of them as they shall think fit.

A further Order was made, that no Officer of War or Soldiers should come within the Lines of Communication, other than those that are already in, upon pretence of sharing in the Money lately ordered for Officers and Soldiers.

An. 1647.

Sheriffs of London *and Army.*

The Sheriffs of *London* with certain of the Common-Council attending the House this Day, acquainted them with a Letter they had received from his Excellency Sir *Thomas Fairfax*, concerning the *Proceedings of the Treaty* with the Army (since Printed) which was read, and the House gave them Thanks for communicating the same to them.

The House this Day again read the particular Charge against the Eleven Members, and had a large Debate thereupon, Forenoon and Afternoon, but came to no conclusion, referring the further Debate till *Monday* next.

Colonel Massey 2000 *l.*

A Petition by Colonel *Massey*, and a Certificate from the Committee of Accompts, of the Arrears due unto Colonel *Massey*, were read and debated, and thereupon the House ordered him 2000 *l.* as part of his Arrears out of *Weavers-Hall* and *Goldsmiths-Hall.*

The King is still at the Lord *Craven*'s House by *Causum*, and the Head-Quarters of his Excellency Sir *Thomas Fairfax*'s Army still at *Reading.*

Monday, July 12. The House of Commons (as was ordered) further proceeded in the Debate of the *particular Charge* against the Eleven Members, and upon the Result of all, they voted it a Charge, and that the said Eleven Members should give in their Answer thereunto by *Monday* next, at which time the House will consider of putting the same into some speedy way of Trial, as is desired.

Council appointed for the 11 *Members.*

The House ordered that Master *Chute*, Mr. *Pryn*, Master *Glover*, Mr. *Hales*, shall be Council for the accused Eleven Members of the House, that were included in the late Votes of adhering to the King's Party, were ordered to present their Cases to the House on this Day; but by reason of other extraordinary Occasions, the House ordered the Cases of those Members should be read and debated on to Morrow Morning. It was referred to the Committee of the Army, to examine why there was not a *Chain* put upon the 200000 *l.* at *Weavers-Hall*, as there was upon the 200000 *l.* raised for the *Scots.*

Iron Chain.

The House of Peers sent a Message to the Commons, and therewith a Letter from His Majesty to the Duke of *York*, intimating His Majesty's Desires to see His Children, which their Lordships thought fit, did condescend unto, desiring the Commons Concurrence, His Majesty's Letter was read in the Commons House, and is as follows.

The King's Letter to the Duke of York.

JAMES, CAUSUM, 4 July, 1647.

I Am in hope that you may be permitted, with your Brother and Sister, to come to some place betwixt this and London, *where I may see you; to this End therefore I command you to ask leave of the two Houses, to make a Journey (if it may be) for a Night or two; but rather than not to see you, I will be content to come to some convenient place to Dine, and go back at Night: And foreseeing the fear of your being within the Power of the Army, as I am, may be objected to hinder this my desire, I have full assurance from Sir* Thomas Fairfax, *and the Chief Officers, That there will be no Interruption or Impediment made by them for your return, how and when you please. So God bless you.*

Send me Word as soon as you can, of the time and place where I shall have the Contentment of seeing you, your Brother and Sister.

Your Loving Father,

CHARLES R.

The King's Children to go to the King.

The Commons upon Debate of this Letter, and what was proposed by the General in a Letter the last Week concerning the same, voted and agreed upon by both Houses, that His Highness the Duke of

of *York*, and the rest of the King's Children, shall have leave to go to His Majesty, and continue with him for two Days, and then return, and the Earl of *Northumberland* to go with them, and take care of them.

Clifford's *Tower*.

The Lord-Mayor of *York* shall have the Care, Charge, and Custody of *Clifford's-Tower*, in *York*.

Reduced Officers.

A Petition was this Day presented to the House, in the Name of many reduced Officers who had not received any part of their Arrears, but nothing done upon it.

Private Listings.

The Committee appointed formerly to consider of *Private Listing* of Forces in *London*, was ordered to meet this Afternoon, and to send for one *Furr* and *Nusse*, and examine them throughly.

Tumults.

The Committee for drawing an Ordinance to prohibit all riotous and tumultuous Meetings, were ordered presently to withdraw, and to bring in the Ordinance with all speed, that so Tumults may be prevented for the future.

Mutiny in Ireland.

To speak a little of the sad Subject of *Ireland*, by Letters from *Dublin*, it is certified, That the Soldiers there (for want of Money) have been very *mutinous*: And a Mutiny lately by some of Colonel *Kinaston*'s Men proceeded so high *as to endanger Dublin*, but the Mutineers, through the Vigilancy of the Governor Colonel *Jones*, (who himself nearly escaped a Shot) were at last appeased, vowed Oblivion, and promised Amendment, upon which they were again received into Favour; and upon their submissive Petition their particular Grievances were referred to a Court-Marshal.

Demanding Advance and Arrears.

The Soldiers of Sir *John Burlasse's* new Model Regiment fell into a general *Mutiny* in the *Field*, and sent a Petition, demanding Advance Money and Arrears, &c. by a Drum, but Colonel *Jones* returned Answer, That he having sent their Petition to the Commissioners, did let them know, that for pity they were taken in the Service, that there was no need of them, and if they did not immediately depart peaceably to their Quarters, that Regiment should be disbanded, and they proceeded against according to their Demerits. This so startled them, that they presently march'd home in order.

Regiments reduced in Ireland.

The Eleven Regiments of Foot, of the old Army, are reduced into seven, *viz.* the Earl of *Kildare*, Lord *Moors*, Sir *Henry Tichburne*, Sir *John Burlasse*, Colonel *Willoughby*, Colonel *Bayley*, and Colonel *Flower*, in all about four Thousand. The Horse are not yet reduced, but will be suddenly.

A Defeat given to the Garrison of Trim.

An unhappy Disaster hath lately befallen the Garrison of *Trim*; four Troops of the Rebels having the opportunity of a Fog, and the Advantage of a sleepy Centinel, early in the Morning swept away forty Horse of honest Captain *Hunt*'s Troop, and above eighty Head of Cattel from under the Walls of *Trim*. The Governor, Colonel *Fenwick*, was absent on business, so that there's the end of a very faithful Troop, if not recruited with Horse from *England*, which will be difficult. But to recompence this Loss, Colonel *Conway* and Colonel *Trevor*, of *Haringford*, having joined their Forces on a design against the Garrison of *Charlemont*, had such good Success, that besides killing divers, they brought away eight hundred Cattel, and two hundred Horses, many being serviceable Horses, which hath almost undone that Garrison; so that if a reasonable number marched to that Place, they might have it for asking; and

Success against the Garrison of Charlemont.

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An. 1647.

The Ambuscade routed, and good Plunder.

A Defeat given to Owen Roe O Neale.

Intelligence from Scotland

a Place which is the only Garrison or Place of Strength that can give a pretence of continuing any Forces in *Ulster*.

A Troop of Colonel *Coote*'s Horse, with Ten of Captain *Moor*'s Troop, having notice of an Ambuscado of Rebels near the Garrison of *Plare*, fell upon them, routed them, killed ten in the execution, and took sixteen Horse, and had like to have entered their Garrison with them, which was *Welden*-Castle, from whence they brought sixty Cows, and Carrons besides.

June the 22d, Colonel *Chudley Coote* marched out of *Drogheda* with five hundred Horse and Foot, to the City of *Cavin*, and by the break of Day, on *Monday* Morning, the one and twentieth, fell into *Owen Roe O Neal*'s Quarters. Of the *Ulster* Men, took two of the *Ryly*'s Prisoners, and one Mr. *Dawley*, being Gentlemen of very good Note, and leading Men amongst the Rebels, killed twenty five, for they stood not one quarter of an Hour, but run into the Bogs, took fourteen Troop Horses, five hundred Cows, one thousand Sheep, and two hundred and fifty Plough-Horses. This is the third piece of Service his Regiment hath done.

From *Scotland* Letters tell us, There have been great endeavours to raise Forces to come into this Kingdom, and at *Edinburgh* several Meetings have been of the Estates, where it was debated, and once all Night, what should be done by that Nation, as to the Affairs of *England*, but no material thing was determined, only that in case an Army should be raised, that *David Leshly* should be General; but as to the raising of an Army, the difficulties to be got over were too many, and so nothing done except private Listings.

Tuesday, *July* 13. 1647. This was the first Day of Relaxation (according to Ordinance of Parliament) for Scholars and Apprentices; and the Shops, for the most part, were shut up throughout the City.

Here follows the Petition of many hundred Young-Men and Apprentices of the City, to the House of Commons, *viz.*

The Humble Petition of many Thousands of Young-men and Apprentices of the City of London, *to the High and Honourable the Knights, Citizens, and Burgesses in the Supream Court of Parliament assembled, presented the 13th of* July, 1647.

To the High and Honourable the Knights, Citizens, and Burgesses in the Supream Court of Parliament assembled.

The Petition of divers Young-men and Apprentices of the City of London.

Humbly Sheweth,

THat whereas upon the first of *March* last past, your Petitioners presented (to this Honourable House) an humble Petition subscribed with many thousand Hands, containing many things of publick Concernment, both in relation to the Kingdom in general, and your Petitioners in particular, as may appear by a Copy of the same hereunto annexed; at the reading of which, your Honours were pleased to promise the taking the same into serious Consideration, in convenient time. In hopes of which your Petitioners have, with all Humility and Modesty, according to our Duty, waited ever since for the accomplishment of the same, forbearing all clamorous and tumultuous Conventions, whereby your Honours might in the least have been disturbed in the quiet and peaceable prosecution of your weighty

weighty Affairs. And we cannot but with all Thankfulness acknowledge what you have already acted towards the Satisfaction of our just Desires in part; but finding, to the great Grief of our Hearts, that in matter of greatest Concernment, instead of hoped Redress, our heavy Grievances are increased, by the late Ejection of Men of known Fidelity out of their several Offices in the City Regiment of Trained-Bands and Auxiliaries, to the great Grief of most honest Men, who have been Eye-witnesses of their Faithfulness and Forwardness in the discharge of their several Trusts, and without any Crime laid against them, so much as to give a pretended Ground of this their unjust expulse. Likewise instead of composure of Differences, we find that encouragement is given to Men of turbulent and seditious Spirits, to stir up Divisions, by rendring those that concur not with them in every Punctilio (in point of Judgment) as Men unworthy to enjoy their Birthrights, Privileges, or Subsistance in the Kingdom, notwithstanding they have given never so eminent Testimony of their sincere Affections to the Common-good, whereby those too officious Incendiaries seem more to drive at their particular Designs, than the conservation of Peace and Unity in the Commonwealth: And hereby, together with their late Industriousness, in striving to exasperate the City against the Army, have endeavoured, what in them was, to embroil the Kingdom in a second War, most dreadful to all well-minded People to think of: Neither is it the least of our Grief to remember the late abuse of the Authority of this House, by the too great influence of some Arbitrary Spirits, in the late abusing and slighting Petitioners, contrary to their former Declaration, touching the Liberty of the Subject, the very Foundation of which was by this means most miserably shaken: Nor can we be unsensible of the Misery some Free-born Subjects yet undergo, by being detained in Prison from time to time, without being brought to a legal Tryal, notwithstanding their several Appeals to this Honourable Court. Upon these and other pressing Considerations, we assume the boldness once more to present these our ensuing Requests to this Honourable House.

First, That you will be pleased, with all convenient speed, according to your Promise, to take the several Heads of our former Petition into serious Consideration.

Secondly, That your Authority so apparently abused, contrary to Right and Equity, by those that have of late effected the Ejection of Men of known Fidelity and Account out of Places of so important Trust, may be forthwith redeemed out of their Hands; and that those that have been so unreasonably expulsed, may be again restored to their Places, till sufficient ground may be made apparent to the contrary.

Thirdly, We further pray, That you will be pleased to declare against all manner of Invectives of the Clergy, or others, tending to the aggravation of Differences amongst peaceable Spirits.

Fourthly, And that those Prisoners who have appealed to this Honourable Court for Justice, may be forthwith put into a way of impartial Tryal.

And *Lastly*, That the Sum of all your Endeavours may tend to the sweet Composure of Differences on all sides, so far as it may be congruent to the Rules of Piety and Equity.

And your Petitioners shall ever pray, &c.

This Petition was read in the Commons House, and thereupon, It was ordered, That Sir *John Danvers*, Alderman *Atkins*, and Colonel *Ven*, do acquaint the Petitioners, That the House is at this time upon the Consideration of settling the Peace and great Affairs of the Kingdom, and that they will consider of it in convenient time.

Which the above-named Members did accordingly, and withal declared, That the House did with Thankfulness take notice of the civil

An. 1467. civil and modest Behaviour of the Petitioners in the delivery of their said Petition.

Another Petition was likewise talked of to be presented from another party of Apprentices of the City, stiled, *The Petition of divers Young-men and Apprentices of the City of* London, which is as followeth, *viz.*

To the High and Honourable the Knights, Citizens and Burgesses, in the Supream Court of Parliament assembled.

The Petition of divers Young-men and Apprentices of the City of *London.*

Humbly Sheweth,

THat out of the grounded Confidence we have of the readiness of this Honourable House to hear and repair the Grievances of all those for whose welfare you are chosen and betrusted to take care and provide; and being encouraged unto the same by several good Ordinances and Declarations of your own to that purpose.

We whose Names are hereunto annexed, although the meanest Members of this great Common-wealth, yet having by Birthright a Right of Subsistence here, conceived our selves (in our proportion) to have as real an Interest in the Kingdom's Enjoyments, as those who in respect of Place or other Accidents are above us. As also many of us, having under the direction of your Honours grave Counsel and Guidance, freely adventured our Lives for the preservation of our Native Rights, and the just Privileges of our dear Country, against the publick Violaters of the same. Upon these and other serious Grounds, we are bold at this time to make our humble Addresses to the Honourable and Supream Court of Judicature (the only Refuge, under God, we have to fly to.) And in the first place, we cannot but with all Thankfulness take notice of the unwearied Pains, together with many great and almost intolerable Difficulties by you undergone in the faithful discharge of your Trust, in bringing about the establishment of a well-grounded Peace; the perfection of which (in relation to the common Enemy) seems now, by the Blessing of God, to be brought near to a wished Period: Yet the consummation of this Work being (as it were) the Crown of all your Labours, we humbly conceive it may deservedly challenge from you a more than ordinary respect, which we doubt not but that your grave Wisdoms are very sensible of; yet (Noble Senators) let it seem no presumption, if we your poor Petitioners, in all Humility, make known the grounds of some Fears and Jealousies to us apparent in that particular. And those are (among other great Grievances) chiefly derived from the present Sense we have of the too much prevailing of that Party, who have in the late Wars declared themselves disaffected to the Peace and Welfare of the Kingdom, who now seem to be in hopes of obtaining that by Policy which they have not been able to do by Force; cunningly contriving to aggravate and increase Differences between the well-affected Party, and striving to bring an Odium upon all good Men, under the distinctions of several Terms of Obloquy and Disgrace, by such subtle Endeavours labouring to avert the edge of Justice from themselves (who come deservedly under the stroke of it) and to turn it upon those who are most innocent; strongly endeavouring (and have already effected it in part) to justle all honest, faithful, well-affected Men out of Places of Trust, Office, and Authority, and to put in Neuters, Ambodexters, or Persons apparently disaffected: By all these means together, with the Advantage of the Kingdom's present Unsettledness, they seem to be in a more than propable expectation of getting the Reins once more into their own Hands, to the evident endangering of the Common-wealth's speedy Ruin, and to the great Grief of your poor Petitioners, and all others who desire the Peace and Safety of this distracted Kingdom. And further we are bold to make known, (as more particularly relating to the condition of your Petitioners) That whereas we at our being made Free of the City, are enjoined by Oath to maintain the Liberties and Privileges of the

the ſame City, which notwithſtanding we are in a great meaſure diſabled to do, by the Intruſion of divers illegal and undue Cuſtoms and Monopolies (partly about the Election and Removal of our Magiſtrates, crept in, to the Diminution of the ancient Liberties of this famous City, whoſe juſt Immunities, we are confident, your Honours have been, and are very tender of.

Wherefore your Petitioners humbly pray, that this Honourable Houſe taking into conſideration the Premiſſes, would be pleaſed, by your mature Prudence and Care, to endeavour (as much as poſſibly you can) to take away all occaſions of Breaches between the well-affected Party: And that ſuch as have in theſe late Times of Trouble (by adventuring their Lives or otherwiſe) approved themſelves faithful to their Country's common Good, may, without reſpect to Differences, no way prejudicial to the Common-wealth, impartially enjoy their Birthright-Privileges, and be equally capable with others of the Freedom to officiate in Places of Truſt, which they are or ſhall be choſen unto. And, on the contrary, that all thoſe who have disfranchiſed themſelves, by traiterouſly adhereing to the Enemy, may be diſabled from bearing Office, or voting in the Election of Officers in the Common-wealth. And we further crave, (with Submiſſion to your Honours grave Approvements) that in regard of the Kingdom's preſent Unſettledneſs, it may not be left deſtitute of a truſty and ſufficient Guard to ſecure it from Inteſtine Broils and Foreign Invaſion. And as for your Petitioners more particular Grievances, as they are Members of this City, we humbly pray, That you would be pleaſed, by your Authority, ſo to provide, that we (as we are or ſhall be capable of it) may be enabled to enjoy the Benefit of all ancient Charters and Grants, made and confirmed by ſeveral Acts of Parliament, for the Enlargement of our Freedoms and Privileges; and that whatſoever hath been illegally intruded, may be taken away and made void. And laſtly, As ſome have already deſired, we likewiſe pray, That (if ſo ſmall a Thing may be worthy the intention of this Grave and Honourable Aſſembly) you would be pleaſed to appoint ſome Time of lawful Recreations for Servants, as your Wiſdoms ſhall think fit.

And your Petitioners, as they have many of them already (according to their Duty) freely adventured their Lives, and whatſoever was dear to them for the common Safety of their Country, ſo they ſtill profeſs their Readineſs to give their beſt Aſſiſtance to the ſuppreſſing all arbitrary and tyranical Power, and to the upholding the fundamental Rights and Liberties of free-born *Engliſh* Men, and the juſt Privileges of this Honourable Houſe againſt all that ſhall ſet themſelves in Oppoſition of the ſame.

And be ever bound to pray, &c.

Whatſoever is contained in the Petition, the Subſcribers will be ready to make good by particular Inſtances, when they ſhall be lawfully called to the ſame.

A Report was this Day made to the Houſe of Commons, concerning the Garriſons to be continued and diſmantled in this Kingdom. And they *Garriſons.*

Ordered thereupon that *Wallingford*-Caſtle and Works, *Cambridge* new Works about it ſince theſe Wars, *Nantwich* Works, *Lime* Works, *Stockton*-Caſtle, *Sheffield*-Caſtle, ſhould be diſmantled.

That as to the ſlighting of *Midleham*, of *Bolton*, and *Henneſley*-Caſtle, the Houſe adheres to the former Votes.

The Houſe of Lords likewiſe ſent the Petition of the Earl of *Kildare* to the Houſe of Commons; and for their Concurrence to an Order for advancing Monies to his Lordſhip. *Earl of Kildare.*

The Houſe of Commons ordered, that in reſpect their Lordſhips had paſt an Order for Monies (which the Houſe of Commons conceiving was no ways proper for their Lordſhips to intermeddle with). they ordered, that the ſaid Petition ſhould be rejected: But the next Order was for advancing 200 *l.* to His Lordſhip. *Not proper for the Lords to meddle with Money.*

An. 1647.

That the Treasurers at *Weavers-Hall* should give an Account what Monies have been received and paid by them.

That the Committee at *Weavers-Hall* do not pay any more Money till the 200000*l.* for the Army be first paid.

An Ordinance was read for constituting Dr. *Clarke* to be Judge of the Admiralty, which was upon the Question past, and ordered to be sent to the Lords for their Concurrence.

This Day a contrary Party of Apprentices petition.

To the Honourable the Lords and Commons assembled in Parliament. The Humble Petition of those well-affected to the Government, both Young-men and Apprentices of the City of London, *subscribed by above Ten Thousand Hands. Presented to both Houses of Parliament, on* Wednesday *the* 14*th of* July, 1647. *Together with the Answers of both the Honourable Houses thereunto.*

Six of the Petitioners being at the Door of the House of Peers, were all immediately called up to the Bar, where one of them, in the name of the Subscribers, spake as followeth.

My Lords,

IF it may please this Honourable House, we are commanded by the Young-Men and Apprentices of the City of London, *to present your Honours with this their humble Petition, being in pursuance of their Covenant with God which is upon them, humbly craving your charitable Constructions; their Ends being single, for the Glory of God, the Peace of the Kingdom, and Vindication of the Parliament.*

To the Right Honourable the Lords in the High Court of Parliament assembled.

The Humble Petition of divers well-affected Young-Men and Apprentices of the City of London, *&c.*

Humbly Sheweth,

THat your Petitioners have, with the forwardest, been ever ready in this common Cause of Religion, Laws, and Liberties, to adventure their Lives for the Preservation thereof, which we hoped, after so much Expence of Blood, and (by God's Providence) such happy Success of your Armies, would have been settled to us and our Posterities in a lasting Peace; yet, to the Grief of our Hearts, your Petitioners cannot but take notice, how in these unhappy Times of Distraction, divers discontented Persons labour to sow new Seeds of Discord and Divisions among us, whereby Incendiaries and Malignants are encouraged, your faithfullest Friends discountenanced, the Privileges of Parliament violated, Magistracy opposed, the Publick Worship of God slighted, and the Liberties and Properties of the Subject much endangered: All which your Petitioners laying sadly to Heart, and having more before their Eyes the Glory of God, and the Happiness of His Majesty's Kingdoms, than their own private Interests (which we shall readily sacrifice for the Publick) do in all Humility most humbly pray,

1. That according to our solemn League and Covenant, His Majesty's Royal Person be may defended; and that His just Power and Greatness (in the Preservation and Defence of the true Religion and Liberties of the Kingdoms) may be established.

2. That the Rights and Privileges of Parliament may be vindicated, and the lawful Liberties and Property of the Subjects preserved and maintained.

3. That the Government of the Church may be speedily settled, Conventicles (the Seminaries of Separation) suppress'd, and a Toleration of licentious Liberty effectally declared against.

4. That

4. That all Incendiaries, Malignants, and Evil Instruments, which hinder the Reformation of Religion, dividing the King from his People, or one of his Kingdoms from another, or make any Faction or Parties among the People (contrary to the solemn League and Covenant) may be brought to publick Trial, and receive condign Punishment.

5. That all Obstructions in the ordinary Courts of Justice may be removed, and the insufferable abuse of Committees and their Officers considered.

6. That the Arrears of your Soldiery of this Kingdom may be satisfied, and Security granted for their further Indemphity, for all Acts done by them, *Tempore & loco belli.*

7. That the Army now on foot may be disbanded, or otherwise disposed of, that so this almost exhausted Kingdom may be freed from those many grievous Taxes and Oppressions it now groans under.

8. And whereas there have been, and still are, great Abuses, and insufferable Injuries done to your Petitioners by the Sale of Freedoms, and Foreigners intruding into the Suburbs and Places near adjacent to this City, whereby your Petitioners are much discouraged in their Service, the Free-Men of this City prejudiced, and the Franchises and Liberties thereof infringed. We therefore humbly beseech this Honourable Assembly to resolve on some course (as in your Wisdom shall think fit) as well for the expulsion of such as have so unduly crept in amongst us, as for the future prevention of the like insufferable Injuries that may redound to your Petitioners hereafter.

And your Petitioners being always ready to adventure their Lives and Fortunes for your Defence and Preservation, shall ever pray, &c.

Die Mercurii, 14 *Julii*, 1647.

The Answer of the House of Peers was thus:

Gentlemen,

THE Lords have commanded me to return you hearty Thanks for the good Affections, and pious Care for the publick Peace of the Kingdom, which you have expressed by your Petition. Their Lordships will take the Particulars thereof into their speedy Consideration.

Jo. Brown, Cler. Parliament.

Die Mercurii, 14 *Julii*, 1647.

The Answer of the House of Commons to the like Petition.

Resolved, *&c.*

THat the Answer to the Petitioners shall be, 'That the House has divers Matters of this Petition under Consideration, and will take the 'rest into Consideration in due time. Sir *Thomas Soame* and Mr. *Vassal* are appointed to acquaint the Petitioners with this Answer.

H. Elsing, Cler. Parl. d' Com.

The House of Peers ordered, upon the Petition of the Lord Marquis of *Winchester*, that for his Health he may have leave to go sometimes out of the *Tower*, provided the Lieutenant of the *Tower* take such Security therein as he will answer for; and his Lordship not to lie out of the *Tower*, but always to come unto his Bed at Night.

Upon some Debate concerning the Earl of *Clare*, upon a Difference between his Lordship and another, it was ordered, That his Lordship have in particular the Privilege of a Peer.

An. 1647.

Members present their own Cases.

Thurſday, July 15, 1647. The Houſe of Commons debated the Repreſentation of the Members preſented the Day before, upon the Votes, how far they had Correſpondency with the King, and pleading how they were forced by the Power of the King's Party upon them to do what they did. The Houſe made an entrance herein, referred the buſineſs to a Committee, for whom the Houſe voted Inſtructions for their Proceeding therein.

Members of the Houſe preſent their Caſe.

Upon reading the Caſes preſented by divers Members, it was ordered, That the Caſe of Sir *Charles Egerton*, be referred to the Committee where Mr. *Corbet* hath the Chair, to confer with and examine him, and all Circumſtances upon the ſaid Caſe. The Houſe declared, That all ſuch Members of this Houſe as have preſented their Caſes, and as ſhall within four Days preſent their Caſes, in reference to the Votes concerning ſuch Members as are not to ſit in the Houſe, ſhall not incur any further Danger or Penalty, other than their being diſabled to ſit this Parliament.

That ſuch of their Members as had liberty to preſent their Caſes in twenty Days time, and do accordingly, ſhall incur no other Danger or Penalty, than being diſabled to ſit during this Parliament.

That the State of the ſeveral Caſes of *John Doyly*, and *Bennet Hoskins*, Eſq; Sir *Philip Percival*, *Tho. Cholmly*, and *Tho. Davis*, Eſq; Members, were all of them read, and referred to the ſame Committee.

A Letter this Day came from His Excellency Sir *Thomas Fairfax*, from *Reading*, with the Petition, Repreſentation, and Declaration of the Soldiers of the *Northern* Aſſociation, and the two Petitions of the *Nottingham-ſhire* Horſe, the one to both Houſes of Parliament, the other to his Excellency Sir *Thomas Fairfax*, which take as follows, *viz.*

His Excellency's Letter is as followeth.

Mr. Speaker,

H*Aving this Day received theſe incloſed Papers from the Northern Forces, under Colonel General* Poyntz's *Command, with ſome other Papers from Colonel* Thornhagh's *Regiment, (which is already march'd up to* Bucks) *wherein they expreſs their Reſolutions to aſſociate themſelves with this Army, for the more ſpeedy and happy effecting a true, laſting, and well grounded Peace, to the King, Parliament, and Kingdom, and in Order to that, have delayed Obedience to the Command of many of their Officers, who for ſome Reaſons beſt known to themſelves have refuſed to joyn with them in their juſt Deſires; and have alſo, as formerly, now again petitioned me to exempt them from further Obedience to any other Command, than what may conduce for the obtaining of the juſt Deſires, and Eſtabliſhment of the Peace of the Kingdom, as in the incloſed Papers is more fully expreſt, and further deſiring to march up ſpeedily to the Army; all which being of ſo great Concernment to the Kingdom, and not well admitting of delay, I thought fit to repreſent unto you with ſpeed their ſeveral Papers and Deſires, that I might receive your Pleaſure concerning the Things they deſire, and your Commands for their preſent Diſpoſal, to the end they may be the better kept in Diſcipline and Obedience, and ſuch Diſorders prevented, as by reaſon of their want of Officers, they may be ſubject to run into, and likewiſe to continue them in the North, leaſt by their Motion to the Army, they might draw to a greater concourſe and burthen of Soldiers Quarters upon theſe Parts, than they will be well able to bear, and thereby the Diſaffected in thoſe Parts, (during their abſence) may take that advantage to make Inſurrections or any Diſturbance of the Peace there: For the Prevention whereof, and Diſpoſition of the whole, as well in order to the Peace of the Kingdom, as ſpeedy Relief of* Ireland, *I ſhall humbly make bold to offer my Opinion, that ſince there are many, ſeveral, diſtinct, and (through theſe late Diſtractions) disjoyned Forces within this Kingdom, which were ſufficient, together with this Army*

my (being United and well Managed) both to preserve the Peace of this Kingdom, and give present Relief to Ireland *(without putting the Kingdom to the Charge of raising new Forces at present for that Service) that the Parliament would speedily put all the Force under one and the same Command, Discipline, and equal Establishment for future Pay and Maintenance, which being done, it would give much Encouragement to some of the Forces, that may be spared out of all the Forces mentioned, from* England, *to go more cheerfully into* Ireland; *and if with this there were some present Course taken to provide for Arrears for such Forces as might be spared for* Ireland, *there might in probability be an effectual Relief sent over into* Ireland *before this Summer be quite spent: All which I humbly tender to your Consideration, and desire your speedy Answer, that no time may be lost in so good and necessary a Work, both for the Quiet of this Kingdom, and Relief of* Ireland; *wherein none shall be more ready to express their forwardness, than*

Reading, July 16, 1647.

Your most Humble Servant,

Thomas Fairfax.

July 15, 1647.

A Declaration and Representation from the Forces of the Northern Association to his Excellency Sir Thomas Fairfax, *and by him presented to the Parliament.*

A Declaration of the free Consent and Coherence of the Soldiers in the Northern Association, with the Army now under the Command of his Excellency Sir Thomas Fairfax.

WHereas there hath been an Express of the real and Honourable Intentions and Grounds of and from the Army manifested, (in most just and honest Terms to the Houses of Parliament and Kingdom) clearing to every indifferent and sound Judgment the Cause of their Proceedings, for the Kingdom, and in it their own Dues, and interested Satisfactions: We having, by God's Providence, the Opportunity to shew our Affections, no less ready and inclinable to maintain and confirm the lawful obtaining of our Rights and just Privileges, by themselves so declared to be: We therefore declare, as in Duty bound, for the Mercies we have received from God, and the Faithful Service we owe to the Kingdom, to joyn and associate our selves with the Southern Army, under the Command of his Excellency Sir *Thomas Fairfax*, for the speedy and happy effecting a true, lasting, and well-grounded Peace, wherein may consist the Preheminence of all Honour and Welfare, both to the King, Parliament, and Kingdom, and that there may be no misapprehensions, as usually publick Resolutions and Resolves are lyable unto at the first appearing, in the Eyes of Men unacquainted in the Business, and in the Eyes of those (who being prepossessed of Guilt, cunningly oppose.) We further declare our selves free from any secret Intentions, in reference to the promotion of any particular Design, or our own particular Interests, but are absolutely raised and moved to a necessary compliance with that Army, upon those good and infallible Principles, which tendeth to the promotion and protection of Justice, and the Liberty of the Subject, as hitherto (by the management of the Affairs of so great Importance) have appeared; we shall no less endeavour to defend with our Lives and Estates, the lawful Designs of those well affected Soldiers, than we would oppose a Foreign Invasion, or prevent an indirect or unwarantable War, our Warrant being the same for either, Nature or Law, and the Covenant binding thereto.

We shall therefore prosecute the discovery of all Persons complotted and combined against us, that we may keep our Friends and Nation free from any inforced Injury or Prejudice whatsoever; especially we giving to understand that we have not any Intentions to spill the Blood of any Man, or to wrong them in their proper Goods, or intrench upon the Conscience of any; our cheifest care being in this our Declaration and Intention at present and for the future, to provide for a Correspondency with that Army, to live or die, rejoyce or suffer with them, as we are mutually engaged; our expectations

An. 1467. tions of Rewards being no other than the salving of those Grievances published from that Army (with our own) the Soldiers Honour and Livelihood repaired, their Services thankfully requited, and all corrupt Persons in Authority, in Courts of Judicature, and Offices of the Kingdom, expunged, and all such several good Acts, as shall be for the present and future concernment of the Kingdom, established, which as they are most satisfactory to the generality, so we desire not to require an addition of Redresses of any particular Mans Wants or Sufferings whatsoever, but attend on the general business in Hand, for the Accomplishment of the Army's, our own, and the well affected of the Kingdom's Desires and just Demands, the Necessity, Justice, and Sincerity whereof, we desire to vindicate as our Lives.

Pontefract, *July* 5, 1647.

The Humble Representation of the Soldiers of the Northern Association, presented first to his Excellency Sir Thomas Fairfax, *and to be by him presented to the Honourable Houses of Parliament.*

1. THat the Honourable Houses of Parliament would be pleased to look upon the Representative Desire and Grievances of his Excellency's Army, as our Desires and Grievances, which we humbly desire may be fully (not feignedly) granted and redressed.

2. That whereas the Parliament was pleased to declare against their just Desires contained in their Representations, and proceed to disband before redress of their Grievance; We humbly desire that the Representations of the aforesaid Desires, and Obstruction of the just Satisfactions, their Desires and Grievances being ours, may be brought forth to Legal Trial.

3. That the illegal Imprisonment of several Officers, and the endeavours used by some to imprison others for speaking in the behalf of his Excellency's Army, and their just Dues, may be repaired, and the Occasioners thereof dealt with according to their Deserts.

4. That those who endeavoured to render his Excellency's Army odious by Aspersions, and thereby to deprive them of that Honour which they have so dearly bought, and to incense the Kingdom and Soldiers against them, may be proceeded against according to Justice.

5. That such Provision may be made for better supply of us for the future; whereby we may be enabled to discharge our Quarters, that so we may not for necessary Food be beholding to the Parliament's Friends, who have spent their Estates in the Service, whose Preservation is the thing we desire, and in whose Happiness we rejoyce.

To his Excellency Sir Thomas Fairfax, *Captain General of all the Forces raised for the Parliament of* England, *Dominion of* Wales.

The Humble Desires of the Soldiers of the Northern Association.

Sheweth,

THat whereas your Excellency's Petitioners have, for some few Years past, served the Parliament and Kingdom in the late unnatural Wars, and having undergone the same with all chearfulness, and readiness, notwithstanding the sad discontentment, and the sad sufferings which we have undergone, being not at all thereby so discouraged as to manifest any visible distemper, or unwillingness unto the aforesaid Service; our Conditions being at present so uncertain, that we know not to whom to repair as our Chief Conductor, and by reason of the same we are exposed to an incapacity of being made partakers of the fruits of our unwearied Travails and dangerous Services, out of the experience that we had of your Excellency's care for the Satisfaction and Preservation both of Soldiers and Subjects, we are emboldened to present these as follows.

That

That your Excellency would be pleased to make our Satisfaction and Preservation, the Object of your Excellency's Care, together with the Army at present under your Excellency's Command, and resident with you.

That to the End we may be exempted from further Obedience to any other Command than what may conduce for the obtaining of our just Dues and Privileges, the establishing of the Peace of the Kingdom, and with which your Excellency's Advice and Approbation shall concur.

That your Excellency would be pleased to recommend this annexed Representation of our Desires to the Parliament, to prevent Misunderstanding betwixt the Parliament and the Soldiers of this Kingdom, for the obtaining of their just Desires, and putting an End to these present Distractions.

And your Petitioners shall pray, &c.

Robert Bradley. *Nathaniel Croft.*	Colonel Gen. *Poyntz* Regiment of Horse.
George Issot. *Thomas Jackson.*	Colonel *Bethel*'s Regiment.
Nicholas Baker. *William Bates.*	Colonel *Copeleye*'s Regiment.
John Bennington. *William Wren.*	Colonel *Overton*'s Regiment.
John Mark. *Edward Field.*	Colonel *Bright*'s Regiment.
Thomas Hunter. *Thomas Wharton.*	Colonel *Ponsonbye*'s Regiment.
Robert Share. *Thomas Shacklock.*	Colonel *Collenwood*'s Regiment.
Robert Tod. *William Blanchard.*	Colonel *Legard*'s Regiment.

Agitated in the behalf of the several respective Regiments.

This to be subscribed by all Officers and Soldiers in the Regiment, &c.

WHereas the Officers and Soldiers of several Regiments of the Army, under the Command of Sir *Thomas Fairfax*, did on the 5th of *June* last past, at a general Rendezvous near *Newmarket*, enter into an Engagement, to and with each other, and to and with the Parliament and Kingdom, which Engagements having been since Printed and Published, have now been read unto us: We the Officers and Soldiers under the Command of Colonel *Thornhagh*, do hereby declare our selves to enter into the same Engagement with the Army, and to and with each other, and to and with the Parliament and Kingdom; In Testimony whereof we subscribe our Hands.

Nottingham, July 7, 1647.

George Palmer, Captain.	*Robert Marshal.*
Rich. Frank, Quartermast.	*William Royston.*
Edw. Kirk, Quartermast.	*Robert Alfret.*
Francis Sutley.	*Robert Hide.*
John Pinenden.	*John Brittain.*
John Cook.	*Thomas Pond.*
William Roof.	

To

An. 1647.

To his Excellency Sir Thomas Fairfax, *General of the Forces raised by Authority of Parliament.*

The Humble Petition of the Nottinghamshire *Horse.*

Sheweth,

THat although we the Regiment under the Command of our Honoured Colonel, Colonel *Thornhagh,* never had so much our own Desires as to serve under the Command of your Excellency in that your Gallant and Faithful Field-Army; yet having received a Resolution, went to the Justice of our Cause by your Excellency's Virtual Presence, in the Commissions of our Honoured Commanders, we may without Vanity profess, that in our Orbs we have moved for the advancing and procuring this Kingdom's Peace and Liberty so cheerfully, that we cannot doubt your Excellency's Countenance and Assistance, which we humbly implore in our Humble Addresses to this Parliament; professing that such is our Resentment of the Injuries done unto you, as done unto our selves, neither will we hope to stand, if you fall, nor fear falling if you stand, when nothing is controverted, but the same for which we first engaged, and dare not recede from, (*viz.*) That the Privilege of Parliament of Free-born Subjects, and Reformation of Charters and Common-Wealths: and as to the better effecting of these, the necessary and just Vindication of the too much slighted Soldiery, amongst which your humble Petitioners, who have from the Beginning of our Engagements, which bears Date almost with the Beginning of these Wars, served the Parliament almost these five Years, and have not received for our Service past 6 *s. per* Week in Money nor free Quarter, one Week with another, and that there is at this Time due unto this Regiment 40000 *l.* and upwards, that we have not received above one Month's Pay; and having for our present Accommodation and Maintenance no other Subsistence, than what a small and harrassed County of Charity (which is malignant) will afford in Meat and Drink: A slender Requital as we conceive for our loss of Blood.

Our Humble Request unto your Excellency is, that you will recommend our further Addresses unto the Consideration of the Honourable Houses of Parliament, whereby we may obtain the Wages of our Blood, our Arrears, and such present Maintenance, as first when we engaged under their Service were promised, and yet that we may not hereby be understood, to be unconcerned in, or disengaged from the past or future Necessity of the Army, in the plain and honest Prosecutions of their Propositions and Desires in the late Declarations, and that we, according to our Proportion of Time and Arrears may be satisfied, as the Army shall be for their Proportions.

Subscribed George Palmer *Captain, and the rest.*

To the Right Honourable the Lords and Commons Assembled in Parliament.

The Humble Petition of the Nottinghamshire *Horse,* &c.

Humbly Sheweth,

THat whereas we the Regiment under the Command of our Noble, and ever Honoured Colonel *Francis Thornhagh* (a Member of the House of Commons) have for the space of 5 Years, or thereabouts, with Faithfulness served the Kingdom, by the Authority and Command of the Parliament, against theirs and the Kingdoms Enemies, having been according to our Employment Accessaries to whatever hath been done, as to the dear purchasing of Peace and Liberty to the Poor (yet Free-born) People of this Kingdom, and are notwithstanding in Arrears at the least 40000 *l.* for the voluntary (yet conditional) Service, which with the Expence of some Blood we have performed, neither have we ever received our Monies, or free Quarter in a Sum (if the total of all was here remised, as might, computed, make every Week) worth 6 *s.* unto us, since we have born Arms: Our present Quality now being such as renders us unable to subsist, or compel a Livelihood by any

any regular way of our poor exhausted Country; neither are we assured of the Wages of our Blood, our just, well deserved and often promised Arrears.

We therefore humbly pray, for whatsoever shall be granted (in relation to the Soldiers and Peoples Good) to that faithful Army of Yours, under the Command of Sir *Thomas Fairfax* (who have been alike faithful to their Trust) according to the Proportions of their Arrears and Time, and in the mean while, that such Pay, as in the New-Model was allowed to all, (but never paid to us) may be duly deposited for our present Maintenance.

And we shall ever pray, &c.

Subscribed as the former.

That the Business of *Ireland* was ordered to be debated to Morrow the first Business.

A Letter this Day came from Colonel General *Poyntz*, and another from his Wife, of the manner of his Imprisonment by his own Soldiers, and seizing his Goods, was read. *ColonelGeneral* Poyntz *secured by his Soldiers.*

A Copy of these two Letters were order'd to be sent to the General, and he desir'd to give his Directions for his Discharge, or sending up.

Another Letter to be sent to the Lord Mayor of *York*, to require him to discharge and restore Colonel General *Poyntz*'s Goods to him.

His Majesty's Children did this Day set forth from St. *James*'s House in *Westminster*, attended with the Earl of *Northumberland*, to wait upon their Father, they intended to dine at *Maidenhead*, and from thence go to *Causam* House. *KingsChildren*

Friday, *July* 16, 1647. The House this Day spent much time in debate of the Business of *Ireland*, as was before ordered, and their sending Supplies of Money thither, and passed several Votes and Orders for this purpose. Ireland, *orders for Money.*

Ordered that 10000 *l. in specie* be sent to *Dublin* for the Forces in *Lemster.*

Ordered 8000 *l.* for the Forces in *Connaught*, called the Legar Forces, under Sir *Charles Coote.*

Sir *Charles Coote* to command the Legar Forts, as he commands the *Connaught* Forces now. Sir *Charles Steward* to have the Chief Command of the Legar Forces next under Sir *Charles Coote.* Seven thousand Pounds ordered for the rest of the Forces of *Ulster*, not of the Legar Forces. Ireland.

Colonel *Monke* ordered to command the Forces of *Ulster* that are not under Sir *Charles Coote.*

That the General be desired to send a Convoy of 200 Horse with these Monies to the Waterside.

A Proposition and Desire of the Earl of *Ormond*, to transport out of *Ireland*, 5500 Men for *France*, was debated, and denied by the House. Ormond.

Some Propositions were then also read coming from the Army, in relation to the Affairs in *Ireland*, and ordered thereupon, that the four Regiments of Foot that came from the Army, *under pretence* of Engagement for *Ireland*, but remaining still in this Kingdom, *be disbanded.* *That those that left the Army upon pretence for* Ireland, *be disbanded.*

That all the new Commission-Officers in these Regiments shall have all their Arrears, one Moiety being deducted for free Quarter, and *disbanded.*

That the Commission-Officers, that have not received their three Months Pay formerly ordered, shall receive it at their disbanding.

The Duke of *York*, and the rest of the King's Children, came to *Maidenhead* Yesterday by 10 in the Morning, the Townsmen and Country People understanding of their coming, and that the King was to meet them there, flocked in great numbers to see them, and strewed the Ways and Streets with green Boughs, Herbs, and Flowers: *The Kings Children.*

An. 1647.

His Majesty came to *Maidenhead* about 11 of the Clock to the *Grayhound*, where the Princes were: No small Joy was expressed betwixt His Majesty and Children at their first meeting, and after some time spent in Congratulation, His Majesty and Children went to Dinner, and dined all of them at one Table; after Dinner, His Majesty returned back, and the Children along with him to *Causam*, where they are to remain for two Days, and then return back to *London*.

There were two Troops of Colonel *Whaley*'s Horse only, that guarded His Majesty and Company from *Causam*, and back again.

Treaty with the Army. Further from *Reading*, the Head Quarters of the Army, came Letters certifying that the Treaty goes on, and we hope, will prove effectual; some Grand Propositions and Proposals are drawing up, and were debated by a Council of War this Day, which the Army conceive necessary absolutely to insist upon ('tis said about twenty five in number) and be suddenly sent to the Parliament.

Colonel Poyntz. Colonel General *Poyntz* was brought to *Reading* by the Soldiery last Night, lay at the *George*, the General and he had some Discourse, and ('tis conceiv'd) he will send him up to *London* according to the Votes of the House Yesterday; the General hath granted a Pass to his Lady to go from *York* to *London*, and an Order to receive the Goods of her Husband at *York* and *Pontefract*.

Saturday, July 17. The House of Commons this Day further proceeded, as in relation to the Business Yesterday, for the better carrying on the *Peace of this Kingdom*, and the Reducement of *Ireland*; and after a long Debate, the Houses came to this Resolution, and Voted,

Sir Thomas Fairfax *to command all the Land Forces.* That all the Land Forces within the Kingdom of *England*, Dominion of *Wales*, Isles of *Guernsey* and *Jersey*, under the Pay of the Parliament, shall be under the mediate *Command of his Excellency* Sir *Thomas Fairfax*, in order to the Security and Peace of the Kingdom, the Reducing of *Ireland*, and disbanding such as shall be thought fit by both Houses. Ordered further, that all the Forces raised, and added to the Four Regiments of Foot that came off from the Army, *that undertook* for the Service of *Ireland*, and remain in this Kingdom, shall be forthwith *disbanded*, and repair to their several Homes, according to the Votes passed Yesterday, and that care be taken of seeing this done.

Reformadoes. The House also further considered of the late Order for putting *Reformadoes out of the Line*, and now further ordered, that the Militia of *London* do forthwith look unto, and put the said Ordinance in execution for putting Reformadoes out of the Line.

Treasurers. The Treasurers at *Weavers Hall*, this Day according to order presented to the House their Account of the Receipt and Disbursements of the 200000 *l.* which was ordered to be debated on *Monday* next.

The Commons ordered 16800 *l.* to be paid to the Treasurers at Wars, out of *Weavers Hall*, in part of 200000 *l.* for the Army.

The House then order'd also to resume the further Debate of the *Garrisons* of this Kingdom on *Monday* next, and so adjourn'd till *Monday*

The House of Peers this Day passed the Ordinance for Dr. *Clerk* to be Judge of the Admiralty, and also to the Votes for the 2000 *l.* to Colonel *Massy*, in part of his Arrears.

The Eleven Members put in their Answer *Monday*, 19. This Day (according to former order) the *Eleven Impeached Members*, viz. *Denzil Hollis*, Esq; Sir *Philip Stapleton*, Sir *William Waller*, Sir *John Maynard*, Kt. Major General *Massy*, *John Glynn*, Esq; Recorder of *London*, *Walter Long*, Esq; Colonel *Edward Harley*, and *Anthony Nichol*, Esq; all of them present in their own Persons,

ſons, preſented a Paper to the Houſe of Commons, *in Anſwer* to the particular Charge or Impeachment, in the Name of his Excellency Sir *Thomas Fairfax*, and the Army under his Command againſt them; which Anſwer is a Demurrer to the ſaid Charge and Impeachment. Which Paper being delivered in by them, was read in the Houſe, and laid aſide for the preſent. — 22 *Caroli* I.

The Houſe then proceeded (as was laſt Week ordered) upon the further Debate of the Garriſons to be ſlighted; and they paſſed Votes for the ſlighting theſe Garriſons following, *viz.* All the *Leiceſterſhire* Garriſons, *Banbury*, *Litchfeild*, *Bridgwater*, *Mulgrave*, *Ruthen*, *Eccleſhall*, *Tutbury*, *Dudley*, *Denby*, *Holt*, *Haverford* Weſt, *Flint*, *Ruchland*, *Monmouth*, with others. — *Garriſons.*

Ordered further that the Deputy-Lieutenants of the ſeveral Counties, that are in the Ordinance for the Aſſeſſments of the 60000 *l. per menſem*, ſhall be appointed to ſee theſe Garriſons ſlighted accordingly.

Ordered that *Briſtol* Caſtle, and great Fort, and *Carnarvan* be continued: That the Keys of theſe Garriſons be delivered to the Mayor of the reſpective Corporations, that the Government thereof may be as formerly.

The Lawyers of the Houſe of Commons that had a deſire to go the Circuits, had this Day leave given them by the Houſe, and their Abſence ſhall be excuſed. — *Lawyers.*

A Letter was read in the Houſe from Colonel *Birch*, and a Copy of his Letter to his Excellency Sir *Thomas Fairfax*, concerning ſome Diſtempers amongſt the Regiment, who had ſecured his Lieutenant Colonel. — *Colonel* Birch's *Regiment.*

The Houſe hereupon ordered, that the General ſhould be deſired to ſend away Colonel *Birch*'s Regiment into *Ireland*, according to their former Engagement.

From *Scotland* 'tis certified, that the General Aſſembly are now Sitting; they have great Deſigns in hand, which a ſhort time will give to underſtand further of; a Grand Declaration is likewiſe drawing up by them, concerning the Affairs in *England*, in relation to the King, Parliament, Kingdom, but againſt the Army. — Scots *Declaration againſt the Army.*

Of the Affairs of Diſtreſſed *Ireland*, Letters this Day came out of *Munſter*, tell of ſeveral late Prizes got by our Forces from the Rebels, but the Complaint of want of Money and Bread is very great; one of the Letters mention as followeth.

We had a Party ſent out the 24th *of* May, *which returned the* 25th, *with* 600 *Head of Cattle, Sheep, and Garrons. The* 28th *of* May *we ſent out another Party, which returned the* 31ſt *with* 2000 *and odd Cows and Oxen, and in Sheep and Garrons ſo many as made them up* 6000 *and odd. The* 3d *of* June *we ſent forth another Party, which returned the* 5th, *with about* 600 *Head of Cattle, beſides* 1500 *Sheep, which the Soldiers killed at their Return; They alſo took in a Place called* Caſtle Thomas, *while the laſt Party was abroad. We had an hundred Horſe to make good a Paſſage, which being careleſs, the Enemy drew ſome Musketeers through a Wood, between them and home, ſo their Horſe fell upon them in the Front, and the Musketeers in the Rear, and killed betwixt* 30 *and* 40 *of them. All our Money is gone, and our Proviſion will not laſt paſt ſix or eight Days, ſo that except there come a freſh Supply out of* England, *in the mean time, I know not what the Soldiers will do for Bread, for Wheat is far dearer here than it is in* England, *and in many Places not to be bought for Money; and without Wheat to make Bisket, the Army will never be able to continue in the Field. It is true the Lord* Inchiqueen *doth what lieth in him, but he wanteth Aſſiſtance. We are now forced to leave the Field, and go to* Garriſon *for want of Wheat and Money.* — *Good ſtore of Cattle,&c. taken from the Rebels in* Ireland. — *Yet want of Bread.*

Youghall, July 1, 1647.

An. 1647.

Dublin *Castle designed to be betrayed.*

From *Dublin* they write of a late Plot by some of the Popish Cavalry to betray *Dublin* Castle, but was discovered *July* 13 at Night, by an intercepted Letter: Divers mentioned in the Letter to be the Chief Actors herein, were taken into Custody until the Business should be fully examined. *Preston* with all his Forces is marching up towards our Quarters, his Expectations were great (it's conceived) upon the Design of *Dublin* Castle.

Owen Roe is with a great Force in *Canought*.

The Eleven Members offer freely to withdraw.

Tuesday, July 20. This Day Mr. *Green*, a Member of the House of Commons, acquainted the House, that he had a Message to deliver the House, of the Desires of the Eleven Impeached Members, which the House voted to receive, and to be read, which was as followeth,

Whereas his Excellency Sir *Thomas Fairfax*, and the Army do declare, that the Proceeding upon particular Proofs to make good the Charge, will probably take up much time, and the present Affairs of the Kingdom, in relation to those great Matters proposed by them, do (as they say) require a speedy Consideration, and that they propound, that those greater and general Matters of the Kingdom be first considered of and settled: And in regard it is supposed, that the Absence of these Members will make way for the present more quiet Proceedings, to settle the perplexed Affairs of the Kingdom.

That they are so far from making any Interruption or Disturbance to the Proceeding upon, or Settlement of the general Affairs of the Kingdom, that they desire,

1. That they may have leave to be absent themselves from the House for the space of six Months, to go about their particular Business.

2. That they may have Liberty, or so many of them as shall desire it, to go beyond the Seas, and have Asses granted during that space of Time.

3. That by that time the said six Months shall be expired, they conceive, that the great and weighty Affairs, tending to the Peace and Settlement of the Kingdom, will be over, and the House judge it seasonable to call them to a Trial.

The House debated their Desires, and upon the whole passed these Votes following.

Votes concerning the Eleven Members.

1. That Leave be given to *Denzil Hollis*, Esq; Sir *Philip Stapleton*, &c. for the space of six Months, to be absent from the House, and to go into the Country, to follow their necessary Occasions of Business, as they shall think fit.

2. Secondly, That *Denzil Hollis*, Sir *Philip Stapleton*, &c. or any of them, have leave to go beyond the Seas, provided, that they return to the Parliament within the space of six Months after this present, to attend the House upon the Business concerning the Charge brought into the House (from Sir *Thomas Fairfax* and the Army) against them.

That Mr. *Speaker* grant Warrants to *Denzil Hollis*, Esq; to Sir *Philip Stapleton*, &c. or any of them, that shall desire to go beyond the Seas, and to return within six Months after this present time.

The House was informed that there was a *great Multitude* of People

ple *upon the Stairs* coming up to the Doors of the House, which kept a great Tumult there, to the Disturbance of many of the Members of the House: Ordered that the Guards attending the House should disperse these People, that the Serjeant at Arms do from the House acquaint the *rude Multitude*, that it is the pleasure of the House, that they disperse and remove themselves.

Multitudes at the Stairs of the Parliament House.

That a 100 *Halberds be brought into the House* for the Service thereof.

That the *Militia* be desired, that the Captain of the Guards that came down to guard the House, may have Directions constantly to suppress such People, as come for the Disturbance of the House.

That 100 Halberds be brought into the House.

That Colonel *Web* do come down daily, and see the Guards placed for the best Advantage, and Service of the House.

Letters this Day from the Parliament Commissioners in the Army came to the House, and therewith some further Proposals of the General and Council of War, which are as followeth.

Further Proposals from the Army.

1. THat there be an effectual Declaration forthwith published to the whole Kingdom, against the inviting, bringing, or coming in of any Foreign Forces under any pretence whatsoever.

2. *That the Army* may be paid up *equal with the Deserters* thereof, according to the late Votes in Parliament: And that the Army may forthwith be put in a constant course of Pay, that they may not be so Burthensome and Oppressive to the Country; for the more speedy performance whereof, we desire that the House of Peers would be pleased to concur with the Desires of the House of Commons (so often proposed to them) for the reviving the Committee of the Army, that so the Assessments, and great Sums in Arrears, both in the City and elsewhere, may be by their Endeavours collected for the speedy and necessary supply of the Army: And also that the Treasurers, and the Committee at *Weavers Hall*, may be speedily called to Account, in what manner, and by what Warrants, the two hundred and thirty thousand Pounds, lately intrusted in their Hands, have been in so short a time consumed.

3. That the *Militia* of the City of *London*, and the Committee of the same, may consist of such Persons, and speedily *be returned into those Hands*, who *formerly*, during the worst of Times, have therein given large Testimonies of their Fidelity to the Parliament and Kingdom, which, beside the real Security it will be to the Parliament and Kingdom, in preventing of Dangers re-preparing towards a new War, would conduce so much to the removing of Jealousies, and give such ground of Confidence to the Army, as that we might the better dispose of it to larger Quarters, in several Parts, for the ease of the Country.

4. According to, and in the pursuance of the Particular mentioned under the fifth Head of the Representation of the *Army*, We do earnestly desire, that all Persons Imprisoned in *England*, or Dominion of *Wales*, not for Delinquency in relation to the late War, but for other Misdemeanors, and whose Imprisonment is not by the regulated Course of Law, but by order from either Houses of Parliament (or of Committees flowing from them) they be put into a speedy, regular, and equitable way of Trial, Or (if the necessity of Settling the general Affairs of the Kingdom admit not their present Trial) then they may have present Liberty, upon reasonable Security for their appearance at a certain Day, to answer what shall be charged against them in a legal Way; and that when they shall be tryed, if they appear wrongfully, or unduly Imprison'd, they may have Reparation according to their Sufferings.

In particular, We desire this may be done, in behalf of Lieutenant Colonel *John Lilburn*, Mr. *Overton*, and others (in their Condition) Imprisoned in and about *London*.

Reading, July 21. 1647.

Signed, *By the Appointment of his Excellency Sir* Tho. Fairfax, *and the Council of War.*

John Rushworth.

An. 1647.

A Letter to the Lord Mayor, *Court of Aldermen, and Common Council of the City of* London.

My Lords and Gentlemen,

IN the carrying on of the great Business of the Kingdom, towards a general and happy Settlement, it has been a fixed Principle with us, to make it our first Endeavours with the Parliament, that all things which threaten an Engagement of the Kingdom in a second War, might be removed, before we could have a confident Expectation of a good Issue upon a Treaty with their Commissioners; which Course of ours, although it might have some appearance of delay, yet by Men that are zealous of the Kingdom's Good, (we hope) no Endeavours will be judged unnecessary, that may secure the Kingdom from the danger of any new Embroilments.

We are now come thus far, that the most material Particulars which we have in preparation to propose, for the general Settlement of the Affairs of the Kingdom, have been communicated to the Parliament's Commissioners, and, we hope, they are satisfied, that they contain in them things tending to a General Good, and to lay a hopeful Foundation for common Right and Freedom to the People of this Land for the future, and for a lasting Peace amongst us: But before we can securely intend, and without Interruption, apply our selves unto the Proceedings and Dispatch of the Treaty thereupon, we have deliver'd into the Hands of their Commissioners the Paper which consists of three Particulars, in the last whereof (which is the Militia *of the City) you being most immediately concerned, to the end you may see we would ask nothing which relates to you without giving you a just Account thereof, and all the possible Satisfaction therein; we have also given a Copy thereof to your Commissioners, to be herewith sent unto you: We should not desire this, or any thing of that Nature, were we not perswaded that what we desire is seasonable, and for yours and the Kingdoms Good and Quiet; and we should willingly have been silent (as to this) but considering the just Jealousies which lie against some Persons, now authorized in that Power amongst you, and those Attempts which have been made by some, who would have engaged your City to a new War, had not your Lordship and Court of Aldermen, and Common Council, by your Wisdom prevented it, by getting those Votes, which were passed by the* Militia, *made* Null. *We cannot but in a Case of this Importance, but deal freely with you, in desiring your Concurrence with ours to the Parliament, that the* Militia *may be changed into those Hands, out of which it was taken; of whose Care and Fidelity to the Publick, there hath been so long and so large Experience, as few Ages have parallel'd; and if the Interest we have so long sought for be still the same, let it not seem strange that we desire, both of Parliament and City, that those may be in Places of such a Trust, who have given the best Proof of their Courage and Constancy in Prosecution of the same.*

Having thus far declared our selves with all Freedom and Chearfulness to you, as we do not doubt of your good acceptance of our Intention therein; so we desire your forwardness into a Work so much tending to mutual Confidence, and to prevent the Designs of any, who would be glad to put Obstructions in the way to a happy Conclusion, and envy nothing more than the continuance of a right Understanding between you and us.

Reading, *July* 19, 1647.

Signed, By the Appointment of his Excellency Sir *Thomas Fairfax*, and his Council of War.

John Rushworth.

May it please your Lordship,

WE made a Dispatch unto you last Night very late, by the Post, and gave you then a general Account of our Proceedings.

And after the reading of the Proposals mentioned in that Dispatch, had some Papers brought unto us, by Sir Hardress Waller, *and other Officers, containing some Desires of the Army, in order to their present Security, which Papers before they were transcribed, were sent for back again.*

We

We expect the Return of them this Day, and shall thereupon transmit them to your Lordship with all speed.

In the mean time, it was held fit to desire the Lord Wharton, *to come up to you for your more perfect Knowledge in any thing that may relate to our former Dispatches; and that nothing may be wanting on our Parts, in discharge of the Trust reposed in us, who are*

Reading, *July* 19. 1647.

Your Lordship's Humble Servants,

Nottingham.

Since the writing of this Letter, these enclosed Papers have been brought unto us by some of the Officers of the Army, which we held our Duty immediately to send to you.

Wednesday, July 21. 1647. This Day the Commons read the foregoing Proposals from the Army, and after some time in Debate upon them,

Ordered to take them into further Consideration, as they lie in order to Morrow Morning.

Ordered, That the Abuses of distributing Monies, lately to the Officers and Soldiers, be referred to the Committee, that Auditor *Wilcox*, and Auditor *Board* do attend the Committee.

That several Members of the House, that are of the City, should give an Account what the *Militia* hath done, in turning Officers and Soldiers out of the Lines of Communication.

Such Officers and Soldiers as came from the Army, to be turned out of the Line by the Militia.

That a Message be sent to the Lords, to agree with the Commons, in Disbanding such as came off from the Army.

An Ordinance passed the House this Day, for transferring some Part of the Additional Excise for the Maintenance of the maimed Soldiers.

Excise.

Letters were read in the House from *Dublin*, giving to understand that *Tuesday* the 12*th* Instant, Colonel *Jones* marched with 3000 Horse and Foot; the next Day he had notice of *Preston*'s March that way: Colonel *Jones* endeavoured to make good all Passes to hinder *Preston*'s coming to *Dublin*, and about 12 Miles from *Dublin*, had an Alarm of the Rebels near Approach: They faced each other, but *Preston* (whose Strength was between 7 or 8000 well armed) fell on our Men, and forced us to retreat, pursuing us four Miles, but our Men got into Garrisons, some 12 killed, Captain *Meredith* either taken or killed. Our Forces are in a very sad Condition, and so like to be, except speedy Supplies be sent over.

Colonel Jones *ill Success near* Dublin, *by* Preston's *Forces.*

The Commons voted, First, That the said Paper be communicated to the Committee for *Ireland* at *Derby*-House; and, Secondly, That they be also sent to his Excellency Sir *Thomas Fairfax*, that some Course may be considered of, for the speedy sending of Forces over, for the Reducing of that Kingdom.

The Army and Derby-*House to send Forces for* Dublin.

By Letters from the Army, We understand, that for the better Ease of the Country, the General is removing his Quarters from *Reading*, towards *Alesbury*; His Majesty goes also from *Causam* to the Earl of *Bedford*'s at *Woburn*, near *Barkhamstead* in *Hertfordshire*. Hence 'tis said, the Army will remove further towards *Bedford*. The King is to be at *Woburn* on Friday.

The Head-Quarters to be at Alesbury. *The King at* Woburn.

Thursday, July 22, 1647. This Day the Commons further debated, the first Head of the last Proposal from the Army against the inviting in of Foreign Forces, and they came to this Resolution concerning the same, and voted, 'That there is no cause for inviting or bringing ' in

Against Foreign Forces coming in.

An. 1647.

'in any Forces into this Kingdom; and that they do declare, that 'whosoever shall bring in, call, or invite any Foreign Forces to 'come into this Kingdom, without the Consent of both Houses, 'are Traitors, and so shall be proceeded against, and suffer as Traitors. Which Votes were also sent up to the Lords for their Concurrence.

The Commons then also made some entrance upon the second Proposal concerning the Army's Pay, but came to no Conclusion upon the same.

Ministers petition for Tyths.

Divers Ministers presented a Petition to the House of Peers, acquainting their Lordships, that they have in their several Places suffered much by the Enemy, and that they cannot receive their Tyths, desiring that some Course may be taken for their Relief; Their Petition was read, and they called in and delivered their Cases at the Bar.

Colonel Fox.

A Petition was also read and delivered to the Lords, in the behalf of Colonel *Fox*.

Lord Inchiqueen *for Provisions.*

Their Lordships sent a Message to the House of Commons for their Concurrence in their Particulars for Monies, for one of *Plymouth*, who has done good Service in transporting of Provision for the Use of the Kingdom, for 7000 *l.* for Supply of Lord *Inchiqueen*'s Forces in *Munster*, who are in great Want, and without speedy Supply will be in danger to be lost.

Well-affected Captains displaced by the Militia.

Several Petitions of the Ward of *Walbrook*, *Portsoken*, and others of the City, were this Day presented to the House and read, their Petitions complaining, that the Captains of those Wards were Godly, Honest, Deserving Men, and that they were *displaced* by the *Militia* of *London*, without any Cause, except for their good Affections to the Parliament.

The Militia *returned into the Hands of the old* Militia *Men.*

The House hereupon again debated the second Desire of the Army, for the *Militia* to return into the *old Commissioners* Hands; and the Question being put, whether it should be restored into the same Hands as it was in before the last Change; it was past in the *Affirmative*, and an Ordinance was ordered to be brought in for this purpose to Morrow.

To consider how to lessen the Charge of the Forces and Garrisons.

As to the third Desire, the House ordered the Commissioners of both Houses in the Army should acquaint the General, what the Sense of the House was, and what they had done concerning the same. The House likewise further ordered, that the General should be moved by the Commissioners of the Army, to consider how the Charge of the Forces and Garrisons of the Kingdom may be lessened, and the Service of *Ireland* advanced.

A Petition and Engagement of dangerous Consequences.

A *Petition* and *Engagement* of a *dangerous Consequence*, as the Case of the Kingdom now stands, of many Officers, Citizens, Watermen, and Seamen of *London*, the Copy whereof was brought to the House, and was read, and upon Debate thereof, ordered a Committee to find out the Authors and Promoters thereof, and had Power to send for Parties and Witnesses; and the further Consideration of this Business was referred until to Morrow, and a Declaration appointed to be drawn up against it.

Dr. Walker *Judge of the Admiralty.*

The Lords sent a Message to the Commons with a second Ordinance concerning Dr. *Walker*, Judge of the Admiralty, the former being defective in some things; which Ordinance was read, and upon the Question, past the House.

The Heads briefly of the grand Proposals of the Army.

Somewhat further was intimated this Day from the *Army*, that the grand Proposals are now almost finished, and will be shortly sent up, they are many and large, but these are said to be some of the Heads of them.

That

22 Caroli I.

That an express Time be set, longer than which this Parliament may not sit.

That this Parliament ending, all Parliaments hereafter be Biennial. *Parliament to end.*

That in the Intervals of Parliament there may be a Council of State of twenty one, who are to have the *Militia* by Sea and Land in their Power, and to be as a Privy Council for Affairs with Foreign Nations. *Intervals.*

That Justice be done on some of the grand Incendiaries. *Justice.*

That Delinquents pay Compositors; yet that there may be such Moderation used, that such as compound may not be ruined.

That there may be a general and full Act for Oblivion. *Oblivion.*

That all Penal *Statutes for not coming to Church* be taken off, with many others. *Church.*

This Day also came Letters from the Parliament's Commissioners with the Army, with a further Proposal from the General and Army, for the Discharge of such Imprisoned under pretence of *Conventicles* or private Meetings for Religious Duties, the Proposal is as followeth. *Conventicles.*

Whereas divers Persons, really affected to the Zeal and Peace of this Kingdom, many whereof have engaged their Estates and Lives with the Parliament in the late War, are now imprisoned, indicted, and otherwise grievously vexed (and many others liable to the like Trouble) by Force and Pretence of several Statutes, especially intended against those, who repair not to some Church or Chapel to hear the Book of Common-Prayer, or against those who are Popish Recusants, and by their not going to Church might be discovered, and those who should hold any Conventicles or Meetings, to plot and conspire some Mischief to the State: Now forasmuch as the Parliament hath declared against the Book of Common-Prayer, and that the said Act against Conventicles was *not intended* against the People meeting only for Religious Exercises: We therefore desire that all Persons proceeded against, upon the Statute of 31 *Eliz.* or upon any other Statute or Acts whatsoever, of the same Tenor with the Premises, may be forthwith discharged from their Imprisonment, Indictments, or any other Molestation whatsoever, by Virtue of the forementioned Statutes, unless such Persons shall be proved Popish Recusants, (and that by some other way than by their not coming to Church) or to have, in such Private Meetings as aforesaid, some dangerous Design, Conspiracy and Practice against the State. *Imprisonment.* *Private Meetings.* *Common-Prayer.* *Statutes.*

And for a more effectual Course, we desire the Parliament would be pleased to give Orders accordingly to all the Judges of Assizes, for this next Circuit throughout the Kingdom of *England*, and Dominion of *Wales*, (as part of their Instructions) to acquit all Persons suffering as aforesaid, by Virtue or under Pretence of the said Statutes, otherwise than as before excepted, and to give the whole matter so in Charge, that all Justices of the Peace, and whom else the same shall concern, may not henceforth attempt to bring the like Trouble upon any other of the Well-affected People of this Kingdom under the like Pretence, as they will answer the contrary at their Peril. *Judges to release Persons so imprisoned.*

Reading, July 21, 1647.

Friday, July 23.

This Day according to the former Order, an Ordinance was reported to the House for the Disposal of the *Militia* of the City into the old Commissioners hands; was read the first and second time, and committed.

An. 1647.

A Declaration was then reported to the House, upon the dangerous Petition and Engagement (a little before mentioned) on foot in the City; was upon Reading likewise committed.

And it was ordered that the Committee to whom these two last were referred, should bring the same in with the Amendments into the House in the Afternoon.

Accordingly the House sat in the Afternoon, and the new Ordinance for the *Militia* with the Amendments was reported, and after much Debate, passed, and sent to the Lords, who concurr'd herein also with the Commons, by which Ordinance, that of the *4th* of *May* for the new *Militia* is revoked, and the old *Militia* Men again instated with the same Power and Authority to all Intents and Purposes, as the *Militia* formerly had, to continue during the Pleasure of the Parliament.

This Ordinance being thus past both Houses, it was Ordered, that the *Militia* of the City should meet this Night, and take Order for the Security of the City and the Parliament against all Tumults, *&c.* A Report was then likewise made to the House of Commons, of the Amendments to the Declaration against the Petition and Engagement before mentioned, whereof more hereafter.

The Captain of *Westminster* was ordered to draw up his Company in readiness for the Safety of the Parliament and City of *Westminster*.

Ordered likewise that Colonel *Manning*'s Troop of Horse should attend the House for a Guard.

Die Veneris, 23 *Julii*, 1647.

Ordinance about settling the Militia *of* London.

THE Lords and Commons in Parliament Assembled, taking into their serious Considerations, the present State and Condition of the Kingdom of *England*, and particularly of the City of *London*: do ordain and declare, and be it ordained and declared by the Authority of Parliament, That the Lord Mayor and Sheriffs of the City of *London*, for the time being, Sir *John Wolaston*, *Isaac Pennington*, *Thomas Atkins*, *John Warner*, *James Bunce*, *John Fowk*, *William Gibbs*, *John Kendrick*, *John Langham*, and *Richard Chambers*, Aldermen, Field Marshal *Skippon*, *Randal Manwaring*, *Francis Peck*, *Samuel Warner*, *James Russel*, *Nathaniel Wright*, *William Barkley*, *Alexander Normington*, *Stephen Estwick*, *Owen Row*, *Richard Turner*, Senior, *William Hobson*, *Richard Bateman*, *Richard Turner*, Junior, *Robert Titchburn*, *Tempest Milner*, *William Antrobus*, *Thomas Player*, Senior, *Samuel Harsnet*, *Francis Allen*, Colonel *Wilson*, Colonel *Bellamy*, *Alexander Jones*, Citizens; or any Nine or more of them, be, and are hereby, constituted and appointed a Committee for the *Militia* of the City of *London*, and Liberties thereof, and all other Places within the Lines of Communication, and Weekly Bills of Mortality; and shall have Power, and are hereby Authorized to assemble and call together, all and singular Person and Persons, of the said City of *London*, and Liberties thereof, within the Lines of Communication, and Weekly Bills of Mortality, that are meet, and fit for the Wars, and them to train, exercise, and put in readiness, and them, after their abilities and faculties, well and sufficiently, from Time to Time, to cause to be arrayed and weaponed, and to take the Musters of them in Places most fit for that purpose; and that they shall have Power to lead, conduct, and employ the Persons aforesaid, arrayed, and weaponed, for the suppression of all Rebellious, Insurrections, and Invasions, that may happen within the said City, and Liberties thereof, or within the Lines of Communication, and Weekly Bills of Mortality; and likewise shall have further Power and Authority, to lead, conduct, and employ the Persons aforesaid, arrayed, and weaponed, as well within the said City, as within any other parts of this Realm of *England*, or Dominion of *Wales*, for the suppression of all Rebellions, Insurrections, and Invasions, that may happen, according as they shall from Time to Time, receive Directions from the Lords and

and Commons aſſembled in Parliament; and that the ſaid Committee, or any Nine, or more of them, as aforeſaid, ſhall have Power, and are hereby Authorized to conſtitute and make Colonels, Captains, and other Officers, and ſhall have Power to remove and diſplace Colonels, Captains, and other Officers, from Time to Time, as they, or any Nine of them, as aforeſaid, ſhall ſee cauſe, and think fit; and that the ſaid Committee, or any Nine or more of them, as aforeſaid, ſhall have the ſame Powers and Authorities, to all Intents and Purpoſes, and in the ſame Manner and Form, as any Committee for the *Militia* of the City of *London* had the Twentieth Day of *July*, *Anno Dom.* 1647. by any Order, or Ordinances of Parliament; and that all and every Perſon and Perſons, who have heretofore acted or done, or hereafter ſhall act or do, any Act or Thing whatſoever, by Virtue of this or any former Ordinance, or Ordinances of Parliament, concerning the ſaid *Militia*, ſhall be ſaved harmleſs, and indemnified, for, and concerning the ſame by Authority of Parliament. And it is hereby further ordained, that no Citizen of the City of *London*, nor any of the Forces of the ſaid City, or Liberties thereof, ſhall be drawn forth, or compelled to go out of the ſaid City, or Liberties thereof, for Military Service, without his, or their free Conſent. And it is laſtly ordained and declared, by Authority aforeſaid, that the Ordinance of Parliament of the fourth Day of *May*, 1647. for the *Militia* of *London*, ſhall from henceforth ceaſe, and be determined to all Intents and Purpoſes whatſoever. And this preſent Ordinance is to continue, during the Pleaſure of both Houſes of Parliament.

22 *Caroli* I.

Saturday, *July* 24. The Houſe this Day received a Meſſage from the Lords, with an Ordinance for enjoyning the Payment of *Tyths*, for Twelve Months, which admitted a long Debate in the Houſe of Commons; at laſt aſſented unto, and ordered to be printed.

A printed Pamphlet of Mr. *Paul Beſt*, was complained of to the Houſe, and much debate had upon it, and it was ordered to be burned on *Monday*, *Wedneſday*, and *Friday* next, at *Weſtminſter*, the *Exchange*, and other publick Places in the City. (Paul Beſt *his Pamphlet.*)

The Printers and Publiſhers thereof, are referr'd to a Committee to be puniſhed.

The Ordinance concerning Stationers and Printing, is ordered to be reported to the Houſe on *Thurſday* next.

The *Engliſh-Iriſh* in *England*, are ordered to have a Moiety of the Collections the next Faſt-Day.

The Lords returned this Anſwer to the Houſe of Commons, that their Lordſhips had agreed to the *Declaration againſt the Petition and Engagement*, late on Foot in the City, and was ordered to be printed and publiſhed by beat of Drum, and ſound of Trumpet, by the Sheriffs of the City. (*Declaration againſt the Petition and Engagement.*)

Letters came this Day from the Army, giving to underſtand that the General had his Head Quarters Yeſterday at *Aleſbury*: at which Place (upon notice given to the General and Council of War, of a private Engagement and Subſcribing in the City of *London*, and an Agitation at *Skinners-Hall*, *againſt the Army*, of very bad Conſequence, as the Condition of Affairs now ſtands) *A Paper* was drawn up by the General and Council of War, and ſent to the Commiſſioners of Parliament and City, concerning their deep Senſe of that underhand Deſign, and that they look upon it as the laſt and moſt deſperate Engine to put all in Confuſion. (*Private Subſcribing of Hands againſt the Army.*)

Likewiſe another Paper was ſent to the Commiſſioners of the City, deſiring that they would repair up to *London*, to take care to prevent the working of thoſe, or any ſuch like Underminings, of which the City Commiſſioners ſeemed very ſenſible, and expreſſed much Affection to the Army, and that Afternoon took their leave, and departed towards *London*.

An. 1647.

Against entertaining Cavaliers in the Army.

The General we understood further, the better to take away Jealousies, and some Aspersions cast upon the Army, hath published a Proclamation against entertaining Cavaliers in the Army; all which Papers are as follow.

Alesbury, July 23, 1647.

Several Papers from his Excellency Sir *Thomas Fairfax*, and the Army under his Command, delivered to the Commissioners of Parliament and City, at *Alesbury, July* 23, 1647. occasioned by a late Petition and Engagement of some Citizens, Commanders, Officers, and Soldiers of the Trained Bands, and Auxiliaries, *&c.* Being the last and most desperate Design against the Kingdom and Army, with a Copy of the Engagement. Also a Proclamation from his Excellency Sir *Thomas Fairfax*, against the entertaining of Cavaliers in the Army.

The General's Letter to both Houses, about the Petition and Solemn Engagement of Citizens, Commanders, Officers, &c.

My Lords and Gentlemen,

WE received this enclosed Paper the last Night, from the Hands of a very well-affected Citizen; It was delivered him by an Officer of the City Militia, *who being invited to meet some Citizens at* Skinners-Hall *upon* Wednesday *next, with divers others, to Sign the same, and offering to dispute against the matter of it, to shew how dangerous and illegal it was, was silenc'd, and told that it was not to be disputed, but to be Signed and Joyn'd in, there being divers Citizens and others at the same Place for that Purpose, which when understood, he took this printed Copy away with him.*

By the Contents of which, when you read it, you will easily perceive what it tends to, and how desperate and dangerous it is to the hazard of the whole Kingdom; 'and to frustrate all those Endeavours of the Parliament, the Army, and the King- 'dom for an happy Settlement; and likewise to precipitate all into a New and 'Bloody War: We cannot therefore but acquaint you, that we look on this as a 'Business set on Foot by the Malice of some desperate minded Men, this being 'their last Engine for the putting all into Confusion, when they could not accomplish 'their wicked Ends by other Means. To this have all secret Listings tended, and we wish that the needless and superfluous Listing of Auxiliaries, and Connivance of the continuance of Reformadoes about the Cities of London *and* Westminster, *have not had the same aim: And by this, we hope, it will appear, that our Jealousies and Fears of some such desperate Designs to be hatched in, and about the City, (considering the temper of Men there) have not been groundless, nor our desires to draw near the City of* London *with the Army, to disappoint and break all such Plots, and to free the Parliament from the violence of them, have not been without just Cause; and we desire all indifferent Men to judge, whether our withdrawing from the City, in Obedience to the Parliament's Command, was for theirs and the Kingdom's Security, or not: We wonder that divers Men did calumniate that our marching so near the City, and put so bad Representations upon it, as that it tended to force the Parliament, or to plunder the City: Seeing our doing so, was to break that black Design, which now begins to shew it self in its Colours. Whereas indeed our Consciences witness with us, that our Aims were clear, and honest, tending to restore the Parliament unto its just Liberty, which was much abated in the Eyes of all the Kingdom; and no doubt by the Authors and Contrivers of this new Covenant and Engagement; some whereof have been so far from assisting to put the Reformadoes, and other dangerous Persons out of the Lines, that now they are called to joyn in this Conspiracy: We intreat you to give the Parliament a full Representation of these things, which that you may do, we have sent you the Papers, together with such Informations, as may give them an Opportunity to discover the bottom of this Business: We were marching from* London *(when we received this Information) in Obedience to the Parliament, and to give the City more Content, and to stop the Mouths of Slanderers: But if such Designs, so destructive to the Parliament, and the Work in Hand, be suffered to go on, or that the Parliament be interrupted in the Freedom of their Debates and Proceedings, as we hear within these few Days they were, by those that are invited to partake in this Confederacy: We beg it of the Parliament, as*

they

they tender their own Safety, the Peace of the Kingdom, and preventing of a second War; as they would not have the Kingdom lose the Fruit and Benefit of all the Blood and Treasure that has been spilt in this Cause, that they would not suffer their Freedom and Liberty to be endangered by such Designs as these, they having an Army, which, by the Blessing of God, in spight of all that theirs and the Kingdom's Enemies can do, will stand and fall with them, and be found Faithful and Obedient to them in all Things, and as ready to relieve Ireland, *when the Peace, and Rights of this Kingdom are settled. We write not this, to desire the Parliament to invite us to march up to them; we care not how great a Distance we are from* London, *if it be the Parliament's Pleasure, and consists with their Security, and the breaking off those Combinations, which are hatcht in the Bowels of the City. We are hastning our Proposals, which are for the general Settlement, and which (we are confident) will satisfie all that love Truth and Peace; but we see plainly, we need no more to intend Security, than have cause to expect to bring things to a happy Issue by Treaty, while such Designs are on Foot: We pray you therefore, that the Parliament would speedily, and throughly inquire into, and break these Designs; wherein, as in all things else, we shall be ready to serve them, as they shall judge it needful, and when they shall command us.*

Alesbury, *July* 23, 1647.

Signed, By the Appointment of his Excellency Sir *Thomas Fairfax*, and his Council of War.

John Rushworth, Secr.

Alesbury, July 23, 1647.

BY a printed Paper come to our Hands (a Copy whereof you receive herewith) you will still find, and clearly and evidently perceive, that some evil Spirits, within the City of *London*, maliciously disaffected to the Peace of this Kingdom, do secretly and maliciously endeavour to bring about that Mischief upon the Kingdom, which we have so much feared, and by all our several Addresses to you, sought to prevent, which indeed are of that dangerous consequence, as we can expect no other issue from, than the unavoidable engaging the Kingdom in a second War, if not timely and effectually prevented by your Wisdom and Diligence: We must further observe unto you, that whatsoever Design is intended in the aforesaid Paper, is contrary to the Authority of Parliament, and in direct Opposition to the Proceedings of the Army (which the two Houses have owned as theirs, and approved of their Fidelity, by committing the Forces of the Kingdom of *England*, Dominion of *Wales*, and Islands of *Guernsey* and *Jersey*, under the General's Care and Command) and therefore cannot be effected, but by force of Arms against the Parliament, and their Armies, which in probability may involve the whole Kingdom in Blood, but must necessarily begin within your Bowels, and draw the Seat and State of War upon you, and your City.

Also we desire you would consider, whether we have not just Cause to suspect, that an evil Party lurks within the City, ready to distemper it, and the whole Kingdom, upon every Occasion; and whether it be probable such Persons desire a happy Close between the King and the Parliament (at least such as will be for the Kingdom's Good) when they take upon them the boldness, to make new Offers to His Majesty, with solemn Engagements to make good the same, during the time that the Parliament had given us leave to make Tender of, and treat with their Commissioners, about those things which tend to a general Settlement: And therefore we cannot but desire, that you would take a speedy Course timely to suppress this great Evil, and to prevent all of this Nature for the future, by making some of those Examples, who have been active to carry on this Business: We have not had time to enquire into Particulars, but shall give you only one Instance, of a Meeting at *Skinners-Hall* concerning this Business, where some Persons have been very active, (the Names of some of whom we have given

to

An. 1647. to your Commissioners) and also the Names of other Citizens, who will testifie their Carriage there.

Lastly, we cannot but desire you to concur with us in our Desires to the Parliament; to put the *Militia* into the Hands of those that had it before, without which we can have no assurance, that the City will be free from Designs of this Nature, nor can we expect to see a happy Close.

Alesbury, *July* 23, 1647.

Signed, *By the Appointment of his Excellency Sir* Tho. Fairfax, *and his Council of War.*

John Rushworth, *Secr.*

The printed Paper, or the Copy which the General enclosed in his, to the Lords and Commons, is as follows, *viz.*

To the Right Honourable the Lord Mayor, *the Right Worshipful the Aldermen, and Commons of the City of* London, *in the* Common *or* Guildhall *of the City of* London, *Assembled.*

The Humble Petition of the Citizens, Commanders, Officers, and Soldiers, of the Trained Bands, and Auxiliaries, the Young Men, and Apprentices, of the Cities of *London* and *Westminster*, Sea-Commanders, Seamen, and Watermen, together with divers of the Commanders, Officers, and Soldiers, within the Line of Communication, and Parishes mentioned in the Weekly-Bill of Mortality.

Sheweth,

THat your Petitioners (taking into serious Consideration, how Religion, His Majesty's Honour, and Safety, the Privileges of Parliament, and Liberties of the Subjects, are at present greatly endangered, and like to be destroyed, and also sadly weighing with our selves, what means might likely prove the most effectual, to procure a firm and lasting Peace, without a further Effusion of Christian *English* Blood, have therefore entered into a solemn Engagement, which is hereunto annexed, and do humbly and earnestly desire, that this whole City may joyn together, by all lawful and possible means, as one Man, in hearty Endeavours, for His Majesty's present coming up to his two Houses of Parliament, with Honour, Safety and Freedom, (and that without the nearer approach of the Army) there to confirm such things, as he hath granted in his Message of the 12th of *May* last, in Answer to the Propositions of both Kingdoms; and that by a Personal Treaty with his two Houses of Parliament, and the Commissioners of the Kingdom of *Scotland*, such things as yet are in difference, may be speedily settled, and a firm and lasting Peace established: All which we desire may be presented to both Houses of Parliament, from this Honourable Assembly.

And we shall pray, &c.

The solemn Engagement mentioned in the aforesaid Petition follows at large, *viz.*

A Solemn Engagement of the Citizens, Commanders, Officers and Soldiers of the Trainbands and Auxiliaries, the Young Men and Apprentices of the Cities of London *and* Westminster, *Sea-Commanders, Seamen, and Watermen; together with divers others, the Commanders, Officers, and Soldiers, within the Lines of Communication, and Parishes mentioned in the Weekly Bill of Mortality.*

WHereas, We have entered into a solemn League and Covenant, for Reformation and Defence of Religion, the Honour and Happiness of the Kingdom, and the Peace and Safety of the three Kingdoms of *England, Scotland,* and *Ireland*; all which we do eminently perceive not only to be endangered, and like to be destroyed: We do therefore in pursuance of our said Covenant, Oath of Allegiance, Oath of every Freeman of the Cities of *London,* and *Westminster,* and Protestation, solemnly engage our selves, and vow unto Almighty God, that we will, to the utmost of our Power, cordially endeavour, that His Majesty may speedily come to his two Houses of Parliament, with Honour, Safety, and Freedom (and that without the nearer approach of the Army) there to confirm such things, as he hath granted in his Message of the 12th of *May* last, in Answer to the Propositions of both Kingdoms, and that by a Personal Treaty with his two Houses of Parliament, and the Commissioners of the Kingdom of *Scotland,* such things, as are yet in Difference, may be speedily settled, and a firm and lasting Peace established; for the effecting hereof, we do protest, and re-oblige our selves, as in the presence of God, the searcher of all Hearts, with our Lives and Fortunes, to endeavour what in us lies, to preserve, and defend His Majesty's Royal Person and Authority, the Privileges of Parliament, and Liberty of the Subject, in their full and constant Freedom, the Cities of *London* and *Westminster,* Lines of Communication, and Parishes mention'd in the Weekly-Bill of Mortality; and all others that shall adhere with us to the said Covenant, and Oath of Allegiance, Oath of every Freeman of *London* and *Westminster,* and Protestation: Nor shall we by any means admit, suffer, or endure, any Neutrality in this Common Cause of God, the King, and Kingdom, as we do expect the Blessing of Almighty God, whose Help we crave, and wholly devolve our selves upon, in this our Undertaking.

Upon this, an Order from the General went to the Chief Officers of his Army, for expunging the Names of all Cavaliers out of their Muster-Rolls, which take as follows, (*viz.*)

The Order of the General for expunging Cavaliers out of the Muster Rolls.

I Do hereby require the Chief Officer present, with every Troop and Company, to make strict enquiry, what Cavaliers have been listed and entertained in their Troops and Companies, since the Muster preceding the last Muster; and that all such Chief Officers shall presently, upon such enquiry as before, put forth of their Troops, or Companies, such Cavaliers, as they shall find in their Troops, or Companies, from such Musters as before; and before they receive any Pay upon this last Muster, they shall expunge the Names of all such Cavaliers out of the Muster Rolls, as they shall have put out of their Troops or Companies. And if it shall hereafter appear that any Chief Officer present, with their Troop or Company, shall neglect to put forth, or cashire such Cavaliers in manner as before, or receive any for the time to come, upon Proof thereof made, he shall be liable to a Council of War, and be accordingly proceeded against.

Given under my Hand the 21st of July, 1647. Thomas Fairfax.

The Army and the King removes.

The General this Day removed his Head-Quarters, from *Alesbury,* to *Bedford.* The King removed on Thursday from *Causam* to the Earl of *Devonshire*'s House at *Latimer,* and from thence to the Earl of *Bedford*'s House near *Woburn* in *Hertfordshire.*

The King's Children.

The Commons concurr'd with the Lords, in their Votes for removing the King's Children to *Sion-House.*

An. 1647.

A Petition was this Day presented to the House from the Lord Mayor, Aldermen, and Common-Council of the City of *London*, in these Words, which take at large.

The humble Petition of the Lord-Mayor, Aldermen, and Commons of the City of London *in Common-Council assembled: To the Right Honourable the Lords and Commons assembled in High Court of Parliament. Whereunto is annexed two Petitions; the one entituled,* The humble Petition of divers well-affected Citizens of the City of *London*; *the other entituled,* The humble Petition of divers Young Men, Citizens, and Apprentices of this honourable City. *They are as followeth,* (viz.)

To the Honourable the House of Commons assembled in High Court of Parliament:

The humble Petition of the Lord Mayor, Aldermen, and Commons of the City of London *in Common-Council assembled,*

Humbly sheweth,

A Petition of the Lord Mayor, &c. to both Houses, for re-establishing the Militia, which was established by an Ordinance of the 4th of May *last.*

THat the Petitioners have, by Ordinance of Parliament, dated the 23d. present, taken notice of the Pleasure of both Houses, for constituting a new Committee for the Militia of the City of *London*, and the Liberties thereof, and of all the other places within the Lines of Communication, and the Weekly Bills of Mortality, and for determining of a former Ordinance for the Militia of this City, *&c.* dated the 4th of *May* last; which being taken into serious consideration, the Petitioners could not but call to mind how far both Houses of Parliament had formerly honoured the City, when they first established the Committee for the Militia, and since enlarged or altered the same, to take the sense of this Court before they finally resolved thereupon; which Confidence the Petitioners are not conscious to themselves to have forfeited. And next, being sensible by two Petitions presented to this Court (the Copies whereof are annexed) the one entituled, *The humble Petition of divers well-affected Citizens of the City of* London; and the other entituled, *The humble Petition of divers Young Men, Citizens, and other Apprentices of this City*: what a general Distemper this sudden Change hath already made, and may further raise in this City; besides that hereby the City is for the present put out of all regular posture of Defence.

The Petitioners could not but return unto this honourable House, and humbly and earnestly pray, That the Militia which was established by Ordinance of the 4th of *May* last as aforesaid, and then ordered to continue for one whole Year, may be re-established; that so the present Fears and Distempers in the City may be dispersed and appeased: Whereunto, as the Petitioners humbly conceive this to be the only present safe means, next under the mighty Hand of God, so they will not doubt, but that the said Militia, as hitherto they have done, will in all things perform their Duties according to their Trust. *And the Petitioners shall pray, &c.*

To the Right Honourable the Lord Mayor, the Right Worshipful the Aldermen, and Commons of the City of *London* in Common-Council assembled:

The humble Petition of divers well-affected Citizens of the City of London,

Sheweth,

The Petition of divers well-affected Citizens, &c. to the Lord Mayor, &c. for continuing the Militia.

THat whereas we have lifted up our Hands to the High God, for the Reformation and Defence of Religion, His Majesty's just Power and Authority, the Liberties of the Subjects, and the Privileges of Parliaments; and seriously considering the late Transactions to violate all these, and to weaken the Zeal and Forwardness of this City, and this Honourable Court, in the maintenance of the same, by endeavouring to remove the present Militia, confirmed by Authority of a Free Parliament for a Year, and made choice of by this Honourable Court.

In

In this Streight and Exigency we are bold in all Humility, yet with all Earnestness, to pray, That this Honourable Court would sadly weigh the present Dangers; and, as in former times it hath been your Honour to be instrumental for the preservation of this miserable and dying Kingdom, by the interposition of your Courage, and Power, and Wisdom, in a time of need, so you would not suffer it to be buried in perpetual Oblivion and Reproach, by yielding up that Militia, which, by the good Providence of God, and the Authority of a Free Parliament, hath been invested in your Hands, the only visible means, under God, we have now left for the Security of our Religion, Lives, and Liberties.

A Petition of divers Young Men, Citizens of London, *&c. to the L. Mayor, &c. that none be put in Places of Trust but such as stand well-affected to the Covenant, &c. And to have the Militia continued.*

To the Right Honourable the Lord Mayor, the Right Worshipful the Aldermen, and the Worshipful the Commons in Common-Council assembled.

The humble Petition of divers Young Men, Citizens, and others Apprentices of this Honourable City.

Humbly Sheweth,

THat your Petitioners being sadly affected with the Distractions of these Times, wherein divers discontented Persons, for the advancement of their own Interests, labour to sow new Seeds of Division and Discord among us, whereby Incendiaries are encouraged, the Well-affected discountenanced, the Privileges of Parliament violated, the publick Worship of God slighted, the Liberties and Properties of the faithful Subjects of this Kingdom, and especially of this City, much endangered, and the long-desired-for end of these Troubles (by His Majesty's gracious compliance with, and his safe and honourable return to his Parliament, (which we hoped was almost obtained) now retarded, and for the present altogether frustrated) have presented their humble Petition to both Houses of Parliament, a Copy whereof is hereunto annexed, the which they have thought it their duty likewise to tender unto this honourable Court; being confident, that as their desires in these their humble Addresses arise from no other ends whatsoever but the Glory of God, and the Discharge of their Consciences, in pursuance of that Solemn League and Covenant which lies upon them, *To endeavour to their utmost, in their places and callings, to use all lawful Ways and Means for the conservation and maintenance of the Just Rights and Privileges of Parliament* (lately so much violated) *the Preservation and Defence of His Majesty's Royal Person and Authority, together with the true Religion and Liberties of this Kingdom, and for the discovery and bringing to condign Punishment, all evil Instruments whatsoever, which labour, by fomenting groundless Fears and Jealousies, to divide and make parties amongst the People, thereby to retard the Settlement of Church and State:* So we doubt not but this honourable Court (who have been instrumental to invite us, both by Example and Perswasion (according to several Ordinances and Declarations of Parliament) to engage our selves to the prosecution of the said Ends, wherein you have already done very much, to your everlasting Praise and Commendation) will still with all Reality, Constancy, and undaunted Magnanimity, pursue the same, and likewise encourage those that shall, according to their Duty, labour to promote the same ends. Wherefore we humbly pray,

That this honourable Court would be pleased to use their utmost endeavours by their Addresses to the Parliament, and otherwise, as they in their Wisdoms shall think fit, for the furthering of your Petitioners desire contained in the above-mentioned Petition.

We cannot likewise but with all thankfulness take notice of what this honourable City has done for the putting in execution of several Ordinances of Parliament, That none be put into any place of Trust, either in Church or Common-wealth, but such as have taken and now stand well affected to the Covenant, to which we are confident that you will still adhere.

And whereas there have been, and still are, several factious Persons, who stile themselves *The Well-affected of this City*, (though unworthy of that Name) who labour to traduce the Actions thereof, thereby to bring an Odium upon it, and to lay it open to their Malice; a fresh Instance whereof we have in a Petition presented to the Parliament, pretended to be the Petition of the

 Young

An. 1647. Young Men and Apprentices of the City, as likewise by a Petition pretended to be presented to Sir *Thomas Fairfax*, the which we are ready to produce, and refer the consideration of them to this Honourable Court: And further pray, That as both the Militia of the City hath been legally chosen by this Honourable Court, according to Ordinance of Parliament, and the Common Council legally chosen by the several Wards (according to the ancient Custom of this City) you would be pleased to retain the same Power, both Civil and Military, in your own Hands. And that you would be pleased (for the prevention of many eminent Dangers, to which this City may be liable, by reason of these Distractions, to take such effectual and speedy Course, for the Safeguard and Defence thereof, that the fear either of any Mutiny within, or any unwarrantable Power from abroad, may in some measure be taken away, whereby Trade (the main Support of this City, now mightily impaired) may be again revived, and the Franchises and Liberties of this Honourable City (to which we are the apparent Heirs) maintained and defended.

And as your Petitioners are in Duty bound, both by that relation which they stand in to the Honourable City, as by that solemn Engagement whereinto they have entred, so they will be always ready to hazard their Lives for the Defence thereof, and *not suffer themselves directly or indirectly*, by *any Terrour*, or *Perswasion, to be drawn from their Duty herein.*

July 26. *The* Humble Desires *of the Citizens, Young Men, and* Apprentices *of the City of* London; *presented to both the Honourable Houses of Parliament*, July 26, 1647. *Together with the Ordinances of Parliament.*

1. IT is our humble Desire, in regard Religion, our Lives, Liberties, and Estates, are so much endangered, and the Peace and Safety of this City and Kingdom, that the pretended Ordinance for the Change of the Militia of the City of *London* may be presently repealed before the rising of the Houses; and that former Ordinance, that was conferred for a Year by a free Parliament, upon the Lord *Mayor*, Aldermen, and Common Council, and by them legally chosen, may be Established: In which regard we do conceive, that no Justice, though it run in never so free a Channel, can lawfully dispossess them of it, unless it shall appear to be abused, contrary to the Trust reposed in them.

2. It is likewise desired that the City of *London* may immediately be vindicated against a late pretended Declaration of both Houses, which declares all those Traitors, and so to forfeit Life and Estate, who shall, after Publication thereof, act thereupon to get Subscriptions, and that the said Declaration be now presently reversed and cancell'd.

3. That both Houses of Parliament do presently make an Order upon some special Penalty, for the calling in of all their Members of either Houses to discharge the Trust the Kingdom has reposed in them, especially Eleven late accused Members, against whom there has been nothing proved of their Accusation to this Day. That yet again we may come to be so happy, as to enjoy the healing Influence of a full and free Parliament in these distracted Times.

These Particulars we cannot but insist upon, since the Distractions amongst us begin to grow so high, and the Honour and Privileges of Parliament, the Peace and Safety of the City and Kingdom, are so greatly violated.

Much Time was spent in this Business, and at last the Lords and Commons concurred in two Ordinances, as followeth.

Die

Die Lunæ 26, Julii, 1647.

BE it Ordained, by the Lords and Commons in Parliament assembled, That the Declaration of the 24th of this Instant *July*, which declares all those Traitors who shall after Publication thereof act thereupon to get Subscriptions, be null and void, any Thing in the said Declaration to the contrary notwithstanding.

Ordinance that the Declaration of the 26. July (that all shall be Traitors, &c. who after Publication thereof, get Subscriptions) be Null, and made void.

John Brown, Cler. Parliamentorum.
Hen. Elsing, Cler. Parl. Dom. Com.

Die Lunæ 26, Julii, 1647.

BE it Ordered and Ordained, by the Lords and Commons in Parliament assembled, That the Ordinance of the 23d Instant *July*, for the Settling the Militia of the City of *London*, be, and shall be, hereby revoked, and made void, to all Intents and Purposes; and that the said Ordinance of the 4th of *May*, 1647. for the said Militia of *London*, be in full Force and Vertue, any Thing in the said Ordinance of the 23d Instant, to the contrary notwithstanding.

Ordinance to revoke the settling the City Militia this 23. of July.

John Brown, Cler. Parliament.
Hen. Elsing, Cler. Parl. D. Com.

The Votes in the House of Commons, made *July* 26, 1647. for the King's Majesty's coming to *London*; with the several Votes of both Houses, for Nulling the Declaration against the City Petitioners, for Re-establishing the New Militia of *London*, notwithstanding the late Ordinance, with a Copy of the said Declaration.

A Declaration of the Lords and Commons assembled in Parliament.

Die Sabbati 24, Julii, 1647.

THE Lords and Commons having seen a printed Paper, Entituled, *A Petition to the Right Honourable the Lord-Mayor, the Right Worshipful the Aldermen, and Commons of the City of* London, *in the* Common *or* Guild-Hall *of the City of* London, *assembled, under the Name of divers Citizens, Commanders, Officers, and Soldiers of the Trained-Bands, Auxiliaries, and others, Young Men and Apprentices, Sea-Commanders, Seamen, and Watermen.* Together with a dangerous Engagement of the same Persons, by Oath and Vow, concerning the King's present coming to the Parliament, upon Terms far different from those which both Houses, after mature Deliberation, have declared to be necessary for the Good and Safety of this Kingdom, casting Reflections upon the Proceedings both of the Parliament and Army, and tending to the embroiling the Kingdom in a New War: And the said Lords and Commons, taking notice of great Endeavours used by divers Ill-affected Persons, to procure Subscriptions thereunto, whereby Well-meaning People may be misled: Do therefore declare, that whosoever after Publication or Notice thereof, shall proceed in, or promote or set his Name to, or give consent that his Name be set unto, or any way joyn in the said Engagement, shall be deemed and adjudged *Guilty of High Treason*, and shall forfeit Life and Estate, as in Cases of High-Treason accustomed.

A Declaration of the Lords and Commons against a printed Paper, stiled a Petition to the Lord Mayor, &c. and the solemn Engagement.

Hen. Elsing, Cler. Parl. Dom. Com.

Ordered that this Declaration be published forthwith, by Order of the Lord-Mayor, Sheriffs, and Committee of the Militia, by beat of Drum, and sound of Trumpet, in the City of *London*, and within the Lines of Communication.

An. 1647.

Die Lunæ, 26, *Julii*, 1647.

BE it Ordained, by the Lords and Commons, in Parliament assembled, That the Declaration of the 24th of this Instant *July*, which declares all those *Traitors*, and so to forfeit Life and Estate, who shall after Publication thereof, act thereupon to get Subscriptions, be null and void, any Thing in the said Declaration to the contrary notwithstanding.

John Brown, Cler. Parl.
Hen. Elsing, Cler. Parl. Dom. Com.

Die Lunæ, 26, *Julii*, 1647.

THE House of Commons having Adjourned until the Morrow, and Mr. Speaker risen out of his Chair, and the Members going out, divers *Petitioners moved them to sit again*, and the Speaker returning to his Chair, and the Members sitting in their Places, the Petitioners desire them, *to Vote that the King's Majesty should come to* London; whereupon it was Resolved upon the Question,

☞ That His Majesty should come to *London*.

July, 26, 1647.

RESolved by the Commons in Parliament assembled, that they Adjourn their House until *Friday* next.

July, 26, 1647.

RESolved by the Lords in Parliament, that they do Adjourn their House until *Friday* next.

John Brown, Cler. Parl.

Tuesday, *July*, 27. Early this Morning the House of Commons met again, and Adjourned till *Friday* eight of the Clock, so did the Lords likewise.

Middleton routeth the Gourdons.

Letters out of *Scotland* certified, that Major General *Middleton*, hath had a late Encounter with some of the *Gourdons* in the West of *Scotland*, Killed forty, and took thirty Prisoners.

A Fast in Scotland.

The General *Assembly* of the Kirk of *Scotland*, Ordered *a Publick Fast* to be kept throughout that Kingdom, the last Lord's Day, and set forth certain Reasons for the same; some whereof, having relation to this Kingdom, I shall here insert them.

The Motives thereunto.

1. THat notwithstanding the Solemn Engagement in the Covenant, our Obligations of great and singular Mercies, and our many Warnings by Judgments of all sorts, yet not only do we come far short of that Sobriety, Righteousness, and Holiness, that becometh the Gospel of *Jesus Christ*; but Ungodliness, and Worldly Lusts, abound every where throughout the Land, unto the Grieving of the Lord's Spirit, and Provoking the Eyes of his Glory, and to make him increase his Plagues upon us, and to punish us seven Times more, because we continue to walk contrary unto him.

2. That the Lord's Hand is still stretched out against us, to the Judgment of the Pestilence, which spreads not only in the several Places in the Country, but continueth, and increaseth in many of the most eminent Cities in the Kingdom.

3. The great Danger that threatens Religion, and the Works of Reformation in these Kingdoms, from the Number, Policy, and Power of the Sectaries in *England*, which are like, not only to interrupt the Progress of Uniformity, and the Establishing of the Ordinances of God in their Beauty and Perfection, but to overturn the Foundation already laid, and all that had been built thereupon, with the Expence of so much Blood and Pains.

1. And therefore we are earnestly to pray the Lord, that the solemn League and Covenant may be kept, and inviolaby, notwithstanding all the Purposes and Endeavours of open Enemies, and secret Underminers to the contrary.

2. We are to intreat the Lord in the behalf of the King's Majesty, that he may be reconcil'd to God, and that he may be now furnished with Wisdom and Counsel from above, that he be not involved in new Snares, to the Endangering of himself, and these Kingdoms; but that his Heart may incline to such Resolutions, as will contribute for Settling of Religion and Righteousness.

3. We are also to intreat the Lord, in the behalf of *the Parliament* of *England*, of the Synod of Divines, and of all such in the Land, as do *unfeignedly* mind the Work of God, that they may not be discouraged, nor swerve in the Day of Temptation, but that each of them in their Stations, and according to their Places and Callings, may be furnished with Light and Strength from Heaven, for doing of their Duty with Faithfulness and Zeal.

4. We are to supplicate for Direction to our Committee of Estates, that they may discern the Times, and know what is fitting to be done for securing our selves, and encouraging our Brethren.

5. We are to pray for a Spirit of Light, and of Love unto our Assembly, that they may be instrumental in preserving Truth, and advancing Holiness amongst our selves, and for carrying on the Work of God amongst our Neighbours.

Finally, That the Lord would pour out upon all sorts of Persons in these Kingdoms, *a Spirit of Grace and Supplication*, that it may repent us of all our Iniquities, that we may be reconciled unto the Lord, that so all Tokens of his Wrath may be removed from amongst us, and he may bless us with the sweet Fruits of Truth and Peace.

Wednesday, *July* 28. Master *Whitlock*, and Mr. *Jagger* preached before the Commons in *Margarets Westminster*.

The City keeps a Fast.

The Common Council sat in *Guild-hall* in the Morning, and about 10 of the Clock arose and kept a Humiliation in *Bassingshaw* Church, having formerly desired Mr. *Ash*, Mr. *Calamy*, and Mr. *Anthony Burges* to preach; the Sermons were ended *about five at Night*; the Common Council met again, and read a Letter from his Excellency Sir *Thomas Fairfax*, setting forth his good Affection and tender Care of the Good of the City, and shewing his great Dislike of the Petition, and the Means used to promote the same. At *the same Time* many *Young Men*, and *others* attended the Common Council to express their Readiness, for to stand up for the just Privileges of the City, and *defend it against all Opposers*.

Receiveth a Letter of Kindness from the General.

Apprentices appear.

The City send six Commissioners to the General, not to advance.

A Letter was then drawn up, and a Messenger dispatch'd to his Excellency, and six Commissioners appointed to go after the next Morning. In the Letter the Lord-Mayor, Aldermen, and Common Council, declare their Inclinableness to Peace, intreating his Excellency, *that the Army might not advance this Way*, nor intermeddle with the Rights and Privileges of the City, conceiving that their strengthning of the City for the Safety and Preservation thereof, *was no just Cause to provoke the Soldier*: And as for the Petition, the Parliament had already declared their Sense thereof, and therefore it was needless for them to do it, and the rather, for that it had never been formally presented to them.

Thursday,

An. 1647.

To kill and slay, who shall disturb the Parliament.

Thursday, July, 29. The Committee of the *Militia* of the City of *London*, and Lines of Communication, this Day *Ordered*, that no Person or Persons whatsoever, shall presume to make any Disturbance to the Parliament: And it was further Ordered, that if any Person or Persons should presume to make such Disturbance to the Parliament, the Commander in Chief of the Guard, which shall be there present, shall prosecute their Commissions to Kill and Slay, *&c.*

Intelligence that the Army advances.

The Drum beats for Trained-Bands, and others to go to the Works.

There coming Intelligence that the *Army began to advance*, Orders were given for the Trained-Bands to go to the Works, and for the better raising of Auxiliaries to help and defend the City. *A Proclamation* was made by beat of Drum throughout the same, Requiring all, and every the Inhabitants, that are able to bear Arms, and are not listed of the Trained-Bands, to appear the next Morning at several Places, and such as had Arms to bring them with them, and such as had none should receive them there.

The Houses met, but no Speakers came.

Friday, July 30th. This Day according to Order of Adjournment, the Members of the House of Commons met in the House, and likewise the Lords, *but the Speakers of neither House appeared*; and after much Time spent in Expectation, and no Speaker coming, at length the Members of the House of Commons (then present) *proceeded to the Election of a new Speaker*, and Voted Mr. *Pelham*, a Counsellor of *Lincolns Inn* (and a Member of that House) to be *Speaker (pro tempore.)* The Lords also made Choice of the Lord *Gray* to be Speaker of their House *(pro tempore)* in the Place of the Earl of *Manchester*.

The Commons chose a new Speaker.

And a new Serjeant.

Mr. *Bickhead* the Serjeant at Arms being absent with the Mace, when the Commons made Choice of their Speaker, they chose Mastet *Norfolk* to be Serjeant at Arms, and had the City Mace for the present Use; shortly after came Mr. *Bickhead* with his Mace, and tendered his Service, but another being put in the Place, he was excluded.

The Commons Votes as followeth.

After this the House proceeded to debate on the present great Affairs, touching the City and Kingdom, and Voted,

The King to come to London.

First, That the King come to *London*.

To raise Forces

2. That the *Militia* of the City shall have full Power to raise such Forces as they shall think fit, for the Defence thereof.

To make a Commander in chief.

3. That they may make *Choice of a Commander in Chief*, to be approved of by the House, and such Commander to present other Officers, to be approved of by the Militia.

Major General Massey.

After this the Sheriffs and Common Council (who attended the House all this Morning) returned into the City of *London*, and at a Common Council this Afternoon, taking into Consideration the great *Service done by Major General* Massey, and particularly that at *Gloucester*, they made Choice of him to command in Chief: And it was ordered by the Militia, that all *Reformadoes* and other Officers, *&c.* should the next Day at two of the Clock in the Afternoon, *appear to be listed* in St. *James*'s Fields, and that the Forces already listed for defence of the City be put into a *Regimental Way*.

Reformadoes to be reduced into Regiments.

This Day came a Letter from his Excellency Sir *Thomas Fairfax*, to the Lord Mayor, Aldermen, and Common Council of the City of *London*; a Copy whereof I shall here give you.

My

22 Caroli I.

The General's Letter to the City, of his advance towards London, *with his Demands.*

My Lords and Gentlemen,

YOU may please to remember, the forward compliance of this Army with your Desires to remove to this distance, and that upon the Assurance you gave them of your Concurrence with their declared Desires, for the Settling of the Liberty and Peace of this Kingdom, (against which you never yet offer'd us one Exception, or any ground of Dissent) as also of your great Tenderness and Resolution to secure the Parliament, and their Privileges, from any Violence or Attempt; the chief Reason given us of your late Listing of new Forces, and wherein we did most acquiesce.

That upon this Confidence, we had disposed of the Army into several parts of the Kingdom, for the ease of the whole, some of them to above a hundred Miles distance; we had given up our selves to the effecting such Proposals as might tend to the comfortable Settlement of this poor Kingdom, and we were in a hopeful Way for speedy Relief for Ireland.

We cannot then but be deeply sensible of the unparallel'd Violation acted upon the Parliament upon Monday *last, by a Multitude from your City, because therein the Guard sent from the City, did not only neglect their Duty for the Security of the Parliament from such Violence, and the whole City to yield any Relief to the Houses in that extremity, but I am assured from Eye and Ear Witnesses, that divers of the Common Council gave great encouragement to it, which doth not only gainsay your former Professions, but does Violence to those many Obligations, that by your Charter, Protestation, and sundry otherways laid upon you to protect the Parliament: For my part, I cannot but look on you (who are in Authority) as accomptable to the Kingdom for your present Interruptions of that hopeful way of Peace and Settlement things were in for this Nation, and for relieving* Ireland, *occasioned by a late destructive Engagement, especially by the latter Prodigious and Horrid Force done upon the Parliament, tending to dissolve all Government; upon which Score, we, and the whole Kingdom, shall have Cause, to put every thing of the like nature, that may happen to the Parliament, to any who are Friends to them and this Army, except by your Wisdom, Care, and Industry, the chief Actors in the Premises may be detected, secured, and given up to the procuring of Justice for the same, and the best Endeavours used to prevent the like for the future. And so I rest,*

Bedford, 29 *July*, 1647.

Your most assured Friend, to serve you,

Thomas Fairfax.

Kings Children

Saturday, *July* 31. This Day, after the House was sate, a Message came from the Lords, for the Concurrence of the Commons to their Votes, for removing the *King's Children into the City of* London, for their better Security; their going to *Sion* being retarded by reason of the present Commotions.

A great appearance of Reformadoes, &c. to be Listed.

According to the Order Yesterday of the *Militia*, for *Listing Reformadoes*, and Officers, there was *a great appearance* in St. *James's* Feilds. Order was given for staying of Horses from going out of the City, many Horses were listed.

By M. G. Massey, *Sir* W. Waller, *and Coll.* Poyntz.

This Day most of the *Eleven Members* sate in the House, and in the Afternoon General *Massey*, Sir *William Waller*, and Colonel General *Poyntz*, were at *Listing the Reformadoes*.

All Shops to be shut up.

Command was given that all Shops should be shut up.

Head Quarters at Wickham.

From the *Army* we are advised that their Quarters, after a hard March, was last Night at *Wickham*, and some of his Excellencies entred *Windsor*, the next News is like to be at a Rendezvous about *Hounsloe*, and from thence it's thought they will draw nearer to *London*.

Block-Houses *at* Graves-end *secured by the Army.*

This Evening News came that one of the *Block-Houses* near *Gravesend*, was secured by a Party of the Army.

A

An. 1647.

A Declaration of the Lord Mayor, Aldermen, and Commons of the City of London *in Common-Council assembled.*

A Declaration of the L. Mayor, &c.

HOW, and by what Authority, and under what pretences, His Majesty was surprized at *Holmby*, where he was placed by Consent of both Kingdoms; and how thence removed, and at last brought into the Army, under whose Power his Royal Person hath ever since been kept, and carried to and fro, notwithstanding that his Surprizal was disowned by the General for himself and all the Officers about him, and for the Body of the Army, and that since both Houses of Parliament had required his Royal Person to be brought to *Richmond*, and there left in the Hands of the Commissioners of Parliament who attended him at *Holmby*: Contrary to all which, the Army yet desire, That no place might be proposed for His Majesty's Residence nearer *London* than where they would allow the Quarters of the Army to be. All these things we doubt not but by this time are so evidently known and apparent to the whole Kingdom, that we should not need to insist upon any particular discovery thereof: And we believe that the right-understanding and well-affected People of this Kingdom, who remember and still adhere unto the Covenant which they have made with God, have all along observ'd in what manner the Army, in the posture whereinto they have put themselves, have ever since proceeded with the Parliament and City, and sought to improve their Interests throughout the whole Kingdom. We for our parts shall not presume to deliver any thing of our Sense upon that which hath been altered, acted, or consented unto by both Houses, at the instance, interposition, or importunity of the Army; but only desire hereby to give a true Account unto the Kingdom upon what Grounds and Reasons we have been led to concur with the Army in many of their late desires to the Parliament (which happily may have been looked upon with some admiration) and what our just Ends and Aims were in sending down and continuing a Committee of Aldermen and Citizens in the Army all this time.

The *City-Remonstrance* and *Petition* of the 26th of *May*, 1646. Our *Petition* and *Representation* of the 19th of *December*, 1646. and our *Petition* of the 17th of *March*, 1646. In the two last of which the Disbanding of the Army was particularly and especially insisted upon, have, we are confident, satisfied all moderate and unbyass'd Men, that we were desirous upon the first opportunity which God gave us to express our great Zeal for the Settlement of Peace in this Kingdom, by establishing of the true Religion, restoring His Majesty to His just Rights and Authority, maintaining the Privilege of Parliament, easing the great Charge of the Kingdom, securing the People in their lawful Liberties and Properties, and relieving our distressed Fellow-Subjects and Protestants in *Ireland*; And in order hereunto, we have given two such signal Testimonies, in that we were the principal Leaders and Encouragers to the first advancing of 200000 *l.* towards the Satisfaction of our Brethren of *Scotland*, when they had agreed to return to their Country, and to this latter sudden raising of the like Sum of 200000 *l.* for the Payment of this Army, and the Affairs of *Ireland*, when the Parliament had resolved upon the disbanding and disposing of so many of the Army as the Kingdom had no further use of, as we will hope that all Men have been clearly convinced of our sincere intentions, as much as lay in us, and as far as it was fit for us to appear therein, to improve our utmost endeavours to make the way open to a happy composure of all things. And when the Army refused to disband, and had possessed themselves of the Person of the King, thereby justifying that bold seizure of him, which the General at first disclaimed as aforesaid; and that the Army was upon their March, or, as they called it, drawing near to *London*; and that this City was in a manner summoned by a Letter of the 10th of *June* last, under the Hands of the General, and other prime Officers of the Army, although the Parliament were at that time sensible enough of the strange carriage of the Army towards them; and notwithstanding the Army's lying so near to the City did very much hinder and impair the Trade thereof, to the great prejudice of the City in particular, and of the Kingdom in general: yet we, to shew how much we were desirous to avoid the occasion of a new War, did make bold often to address our selves to the Parliament, and joined with the

the Army in many of their demands to the Honourable Houses, sent down a Committee of Aldermen and Citizens to reside in the Army to mantain all good Correspondence on both sides; and although the Army a long time hovered near the Parliament and City, we still omitted no Endeavours or good Offices on our parts, as far as we could well appear for them, to manifest how careful we were to uphold a good understanding between the Army and the City. What violation the Privileges of the House of Commons suffer'd when the Eleven accused Members were enforced by the Army to withdraw themselves, after it was declared upon the Question, *That by the Laws of the Land no Judgment can be given to suspend those Members, or any of them, from sitting in the House, upon the Papers presented from the Army, before particulars produced, and proofs made.* And in what manner the Parliament have (to satisfie the Army) as it were renounced all foreign Aid, under what pretence soever, even such as are under the same Covenant with them. These things, we say, being transacted by the Representative Body of the whole Kingdom, and publick every where, it is evident what great Influence (to say no more) the Army hath throughout had upon the Councils of Parliament: And for this City, it hath suffered it self to be so bounded by the Army, in relation to any Preparation for its own Guard and Defence, whil'st yet the Army is recruited, and the Soldiery of the whole Kingdom invited to join with them, that the City hath been very much exposed to hazard and danger thereby. Yet, although this Army be invested with the whole Power of the Land-Forces of this Kingdom under Pay of the Parliament, when there is nothing left that can probably make any considerable Resistance, and that it was expected they should fall roundly upon those things which concerned the Publick only, as they professed from the beginning; the Army, contrary to that which they declared in their said *Letter* of the 10th of *June* last, unto the City, and their *Declaration* or *Representation* of the 14th of *June*, *That they would not go beyond their desires at that time expressed, and for other particulars would acquiesce in the Wisdom and Justice of the Parliament*: now demand the Militia of the City of *London*, which had been established by Ordinance of Parliament of the 4th of *May* last, to continue for one whole Year in the Hands of such as by their Authority were nominated by the Lord-Mayor, Aldermen, and Commons in Common-Council assembled, and desire the same to be put into other Hands; and so far prevail with the Parliament, that they immediately consented thereto, altho' formerly they never made choice of, enlarged, or changed the Militia at *London*, but they still were pleased first to communicate the same unto the Court of Common Council of this City: But we humbly and thankfully acknowledge, That upon our humble Petition the Parliament presently recalled the same, and re-established the Militia appointed by Ordinance of the 4th of *May* last as aforesaid. And therefore being thus awakened by this unexpected and undeserved interposition of the Army in the Militia of the City, which we must protest to be subject to no other cognizance but of the King and Parliament; and having experience how strongly the Army have ever insisted upon any thing they once demanded, we cannot but foresee how far our Proceedings in this business may be misrepresented to the Kingdom, and misunderstood by those, who from the great professions of the Army, have, or do expect from them a speedy Settlement of the Peace of the Kingdom, and so may be possessed with something, as if we, by contesting for our Militia, did seek to retard the same. And this hath cast us upon this Declaration, wherein although we have unwillingly been enforced to touch upon some Proceedings of the Army with the Parliament and this City, which preceded their intermedling with our Militia, yet we could not omit the same, that we might make it clear to the Kingdom what little reason the Army had, when they had obtained so much from the Parliament, and that the City had so far complied with them, at last to demand the change of that Militia which never moved in any thing without our cognizance, and so could never give the Army any just cause of exception. And we well hope, that all the Kingdom will be fully satisfied hereby, how extremely desirous we have been all along to avoid giving any just cause of Offence or Provocation, and be convinced that we could not in Honour do less than we have done to preserve our Interest in so great a part of our Government. For our parts, we call God to witness, we have a brotherly Sense of the many great pressures under which the Country must needs lie, by quartering the Army;

 and

An. 1647. and when the Army ſhall be ready, of which they have given the Kingdom ſo great hopes, to offer any thing to the Parliament, for the Settlement of the Publick, none ſhall more readily and zealouſly join with them therein than We, who from the bottom of our Hearts abhor the thoughts of a new War. But if this Vindication of our Right in the Militia of the City ſhall be thought by the Army to be a juſt cauſe for them, either to divert them from falling ſpeedily upon that which concerns the publick Peace, or to caſt them upon extraordinary Courſes, let God, the Kingdom, and the whole World, be Judge between Them and Us.

As for that *Petition and Engagement* which hath been lately ſet on foot in the Name of *divers Citizens, Commanders, Officers and Soldiers of the Trained-Bands and Auxiliaries, the Young Men and Apprentices of the Cities of* London *and* Weſtminſter, *Sea Commanders, Seamen, and Watermen, together with divers other Commanders, Officers, and Soldiers within the Line of Communication, and Pariſhes mentioned in the Weekly Bills of Mortality,* directed unto the Lord-Mayor, Aldermen, and Commons, in the Common or *Guild-Hall* aſſembled. Upon which the Army alſo have by their Letter of the 23d of *July* laſt, given us their Senſe. To this we have no more to ſay, but that, for as much as we can collect, we find this *Petition and Engagement* to be occaſioned from the Intelligence which came from the Army, that they would demand the alteration of the Militia of this City; at which if our City, and other the Inhabitants, took the Alarm, the Diſtemper which it begot cannot be charged on the Government of the City: Neither can we ſee why the Army ſhould take notice thereof, it being only intended to the Common-Hall, but never preſented, even as the Petition of their Soldiery was to their General, which being taken notice of by the Parliament, as it was in agitation, was then ſo deeply reſented by the Soldiery, that from thence hath followed the putting of the Army into that poſture wherein now it is. Having thus cleared our ſelves from any deſign to embroil our ſelves or the Kingdom in a new War, we find our ſelves obliged (by which alſo we hope the whole World will be the more fully ſatisfied of our deſires for a ſpeedy, firm, and juſt Peace) to declare unto the whole Kingdom the bottom of our Hearts and Affections, as in relation to His Majeſty, whom we have always, and ſhall ever acknowledge to be our true and only Sovereign, although his Royal Perſon hath, during theſe Diſtractions, been divided from us. Our *Remonſtrance, Repreſentation,* and *Petition* before-mentioned, and a later *Petition* to both Houſes on the 17th of *March* laſt, preſently after His Majeſty came to *Holmby*, have, we doubt not, already juſtified us, That in all our Addreſſes to the Parliament, upon all occaſions which did concern the Publick, we have ever remembred to expreſs our earneſt deſires for His Majeſty's honourable and ſpeedy Return to His Houſes of Parliament; and ſince His Surpriſal we have with much longing attended what the Army would propound concerning His Majeſty in particular, according to the greater expectation which they have raiſed in the People, from that which they have hinted in their *Declaration* or *Repreſentation,* and other Papers of their Intentions towards His Majeſty: But upon what great Affairs, conducing to the ends the Army at firſt profeſſed, the time hath been hitherto ſpent, and nothing done, but to get the whole Power of the Kingdom and City into their Hand, is ſufficiently apparent.

We therefore do in the preſence of Almighty God profeſs, That there is nothing in the World that we more deſire, than that His Majeſty may be put and left free, in ſuch an honourable Condition and Capacity, as His Perſon may appear to be at Liberty, to receive and treat upon ſuch Propoſitions as ſhall be preſented unto Him from the Parliaments of both His Kingdoms; For our Conſciences tell us, that whil'ſt His Royal Perſon is environed by an Army, and remains under the Power thereof, we cannot expect that either His Majeſty's Princely Heart can give that free aſſent unto thoſe things which ſhall be propounded unto Him as is requiſite; or if He do, cannot hope with good reaſon that we and our Poſterity ſhall without alteration enjoy the ſame; and therefore we are reſolved earneſtly, yet with Humility, to apply our ſelves to the Parliament to this purpoſe, and hope that all good Subjects, who are touched with any due Senſe of that Duty and Allegiance which by the Law of God and Man they owe unto their King, will unanimouſly join with us therein.

We

We cannot omit also to declare unto the Kingdom, how we have sadly observed, since the Eleven accused Members withdrew themselves, and that the Army hath daily grown upon the Parliament, that a very great and considerable number of other Members of the House of Commons have also retired themselves, to the endangering of the Kingdom, which never more needed a full Council: And therefore we shall make our speedy Address to the Honourable House of Commons to call in the Members of their House, residing in the Army, or retiring to their Dwellings by leave of the House, or otherwise: and we shall particularly insist upon the re-admission of the Eleven Members, lately driven out of the House of Commons by the violent Pursuit of the Army, contrary to the Sense of the same House, the Law of the Land, and the Privileges of Parliament; wherein also we are confident, all good *English*-Men, and Lovers of their Country, will adhere to them and us.

We should express our selves further to vindicate this City before the Kingdom, from the Aspersions which may have, throughout these Distractions, been cast upon this City, to have been the first Promoters and Contrivers of this unnatural War, which God for the Sins of this Nation hath brought upon the Kingdom: But that God is our Witness, how desirous we have been at all times, and still are, of a safe and well grounded Peace; and with what Fellow-feeling we have looked upon the Miseries, which this long War hath brought upon our Fellow-Subjects throughout the Country.

And thus, as we have herein truly and clearly stated the matter of difference (if it can be called any) between us and the Army, to wit, this alone, that we could not submit the Militia of this City to be altered at the pleasure of an Army, after it had been so Orderly Settled in the Hands of such as were entrusted therewith for one whole Year, when there was a full and free Parliament; so we find it more than time, that the whole Kingdom were possessed with the true State thereof: And therefore, and to this end, we have been necessitated to this Declaration, whereby we are confident, the whole Kingdom will clearly discover, upon whom the Guilt of a New War (which we do still and will ever abhor) must justly lie: So, and no otherwise, shall we expect a Blessing from Almighty God, in our just Defence (if we must be put upon the same) than as from the bottom of our Hearts we sincerely desire an happy and speedy Peace, by the Settlement of true Religion in this Kingdom, by re-establishing His Majesty's just Rights and Authority, by upholding all lawful Privileges of a free Parliament, by maintaining the Fundamental Laws of the Land, by restoring and securing the Subject unto, and in his just Right and Property, and by freeing this long oppressed Kingdom of all Taxes, and the enforced Free-Quarters towards the maintenance of an Army, which of a long time hath had no visible Enemy to encounter: And from this Resolution, by the Blessing of God, we shall never recede for any Earthly Consideration or Advantage whatsoever.

Mitchel.

IT was this Day declared, by the Lords and Commons, that the Order of the 19th of *July*, which puts under the Command of Sir *Thomas Fairfax* all the Land Forces under the Pay of the Parliament, doth not extend to give him any Power over the Trained-Bands Garrisons.

Ordinance that Sir Tho. Fairfax *hath no power over the Train-bands.*

John Brown, Cler. Parl.
Hen. Elsing, Cler. Parl.

ORdered, by the Lords and Commons in Parliament assembled, that this Declaration be printed, and afterwards published by the Militia of the City of *London* by sound of Trumpet; and that the Sheriffs of the several Counties of this Kingdom, and Principality of *Wales*, shall cause the same to be published within their several Limits accordingly.

Jo. Brown, Cler. Parliamentorum.

An. 1647.

Wickham *the Head-Quarter.*

The Head-Quarters of the Army are this Night at *Wickham*, and to Morrow appointed at *Colebrook*. The King was this Day at *Latimer*.

Several Orders and Votes of both Houses of Parliament, made on *Friday* and *Saturday* last, for the bringing of the King's Majesty to some of His Houses near *London*, to receive Propositions from both Kingdoms for Peace, and for the Safety and Security of the King, Parliament, City, and Kingdom.

Die Veneris, Julii 30, 1647.

RESolved upon the Question by the Lords in Parliament, That the Right Honourable the Lord *Willoughby* of *Parham* be Speaker of this House *pro tempore*.

Die Veneris, Julii 30, 1647.

1. RESolved by the Commons assembled in Parliament, That Mr. *Pelham*, a Member of this House, be Speaker thereof.

2. That Mr. *Pelham* being presented by the Commons to the House of Peers, he made a Speech to their Lordships, declaring that the House of Commons had made choice of him (calling himself *the most unworthy of them*) to be their Speaker: Whereupon the Lords voted, That they do approve of the said Choice; and accordingly Mr. *Pelham* was established; and returning to the House of Commons, the Members cried, *To the Chair*.

Die Veneris, Julii 30, 1647.

RESolved upon the Question by the Commons in Parliament assembled, That *Denzil Hollis*, Esq; Sir *Philip Stapleton*, Sir *William Lewis*, Sir *John Clotworthy*, Sir *William Waller*, Sir *John Maynard*, Major-General *Massey*, *John Glynne*, Esq; Recorder of *London*, *Walter Long*, Esq; Colonel *Edward Harley*, and *Anthony Nicoll*, Esq; be received into this House to sit and vote as Members thereof.

Die Veneris, Julii 30, 1647.

PApers were delivered by the Sheriffs and others from the Common-Council of the City of *London*, assuring the Houses, that care should be taken by the City for sufficient Guards to secure their sitting in Safety: Whereupon it was resolved upon the Question, by the Lords and Commons in Parliament, That Thanks be returned to the City of *London* for their Offers and Engagements to take care for the Parliaments sitting in Safety.

Die Veneris, Julii 30, 1647.

RESolved upon the Question by the Lords and Commons assembled in Parliament, That the Care of the King's Children be committed to the Lord Mayor of the City of *London*.

Die Veneris, Julii 30, 1647.

RESolved upon the Question by the Lords and Commons in Parliament assembled, That the Committee for the Safety of the Kingdom be revived, and Sir *William Waller* and Major-General *Massey* to be added to the said Committee, and that they repair to the Militia of *London*, to consult for the Safety of the King, Parliament, City, and Kingdoms.

The

The Names of the said Committee are, (*viz.*)

Earls of:
- *Pembrook.*
- *Rutland.*
- *Lincoln.*
- *Suffolk.*
- *Warwick.*
- *Middlesex.*
- *Manchester.*
- *Stamford.*

Lords:
- *Willoughby.*
- *Hunsdon.*
- *Grey.*
- *Maynard.*

Mr. *Hollis.*
Mr. *Lisle.*
Mr. *Allen.*
Mr. Recorder.
Colonel *Rich.*
Sir *H. Mildmay.*
Sir *Philip Stapleton.*
Sir *Henry Vane*, Sen.
Sir *John Maynard.*
Mr. *Swynfen.*
Mr. *Long.*
Mr. *Ashhurst.*
Colonel *Thompson.*
Sir *John Evelyn.*
Colonel *Norton.*
Mr. *Bunkley.*
Sir *Giles Gerhard.*
Mr. *Nicholas.*
Mr. *John Ash.*
Sir *Richard Anslow.*
Colonel *Ven.*
Sir *Jo. Clotworthy.*
Mr. *Whitlock.*

For the Right Honourable the Commissioners of Parliament residing with the Army.

The General's Letter to the Commissioners of Parliament.

My Lords and Gentlemen,

Having resolved upon this enclosed Dispatch to the City of London, *I thought it my part to give you an account of it, and to give you all assurance, that my Heart is deeply affected with the late Carriages towards the Parliament: And however others have neglected their Duty towards them for their security and defence; yet as God shall enable me, it shall be my great Business to improve all that is in my Hand for the preserving of them, and in them the Interest of the Nation, and what construction soever some formerly may have put upon the Proceedings of this Army; I trust the Lord will by his good Hand lead us into such good Actions, as shall witness our end answerable to all our Profession; to wit, for the good of the Kingdom, and therein to be an effectual saving to the great Authority of the Kingdom in the Parliament.*

Bedford, *July* 29, 1647.

Your most assured Friend,

Thomas Fairfax.

Guildhall, London.

Die Veneris, 30 Julii, 1647.

BY the Committee of Lords and Commons for Safety, Ordered, that the Reformadoes, Officers, and Soldiers be hereby desired to rendesvouz in St. *James*'s Fields to Morrow in the Afternoon, and there, upon view of their numbers and qualities, consider and agree of Field Officers and others, as may put them in a condition fit for present Service in a Regimental way: And that this Committee may be certified thereof, and how they are mounted and armed.

Tho. Partington, Clerk to the said Committee.

An. 1647.

Die Sabbati, 31 Julii, 1647.

RESolved upon the Queſtion of the Lords and Commons in Parliament aſſembled, a Letter to be ſent to Sir *Thomas Fairfax.*

Die Sabbati, 31 Julii, 1647.

RESolved upon the Queſtion, that the King's Majeſty come to one of His Houſes nearer *London*, that Propoſitions may be ſent, and an Addreſs made to His Majeſty from both Houſes of Parliament, of *England* and *Scotland*, for Peace.

Die Sabbati, 31 Julii, 1647.

ORdered, by the Lords and Commons in Parliament aſſembled, that the Committee at *Trinity-Houſe* take care to ſecure the *Block-Houſes* at *Graveſend*, and the Fort at *Tilbury.*

July 30, 1647.

A Letter from both Houſes of Parliament to his Excellency Sir *Thomas Fairfax*, concerning the City of *London*, and other things relating to the Peace of the Kingdom.

May it pleaſe your Excellency,

THE Houſes having this Day received from their Commiſſioners a Copy of your Letter to them, dated at Bedford, July 29, *with a Copy of another Letter of the ſame Date, writ to the City of* London, *in both which, though there be no accounts at all of the motion of your Army, yet the Houſes underſtand by the Letters from their Commiſſioners, in which the Copies were encloſed, and otherwiſe, that you have given Orders for the marching of the Army towards* London, *upon pretence of defending the Houſes from the danger of Tumults; upon conſideration whereof the Houſes have commanded us to let you underſtand, that as they cannot but have a deep Senſe of the undue Liberty which ſome Apprentices of the City of* London, *and others, from whom they might have expected more Obedience, have taken to themſelves to violate the juſt Authority, Privileges, and Freedom of Parliament, in which the Safety of the whole Kingdom is concerned, and ſo they doubt not but the Senſe of ſo great an Offence will at laſt ſtrike all their Breaſts that have been acceſſary thereunto, with a Deteſtation of any Practices of the like nature for the future: And as the Houſes cannot imagine, that the Diſorder committed by ſome Apprentices, or thoſe that mingled with them, had the allowance of the City of* London, *ſo they have ſince received full Satisfaction by the ſtrict Orders given out by the Lord-Mayor and Common Council of the City, to all Maſters to have care of their Servants, and by their Declaration proclaimed in the ſeveral parts of the City, for the preventing and ſuppreſſing of Tumults, that they ſhall ſit with much Freedom and Security from any diſturbance for the future. And therefore the Houſes, ſeeing no cauſe to command that Army, or any part thereof, to march up for their defence, but rather judging (by the Diſtractions raiſed at the News thereof) that the motion of the Army near the City, is like to precipitate the City and Army in a deſperate and bloody Engagement, not only to the diſturbance of the Parliament's Sitting, but alſo to the deſtruction thereof, and of all Authority, by caſting the whole Kingdom into Confuſion. For prevention thereof, they have ſent you this encloſed Order, requiring you, as you tender the Freedom of Parliament, the Safety of the City and whole Kingdom, to give exact Obedience thereunto, this being all we have in Command, we reſt,*

Weſtminſter, 30 *July*, 1647.

An

An Ordinance of the Lords and Commons in Parliament assembled, Enabling the Militia of *London* to punish such as do not repair to their Colours, whether they be Horse or Foot, as also giving Power to the Militia to Elect and Choose a Major General, or any other Officer for the Forces raised, or to be raised within the City of *London.*

An Ordinance of the Lords and Commons assembled in Parliament.

Die Sabbati, 31 July, 1647.

WHereas the Lords and Commons in Parliament assembled, by Ordinance dated 10th *July*, 1647. did give Power to the Committee of the Militia of *London* for *raising of Horse*, and amongst other things did Ordain, that if any Person or Persons, charged to find Horses, Riders and Furniture, should refuse or neglect the same, shall forfeit and pay 20 *l.* It is hereby Ordained and Declared, that their Committee, and their several Sub-committees respectively, or such as they shall appoint, shall hereby have Power to levy the said 20 *l.* or any part thereof, by distress and sale of the Goods of the Party Offending, or to imprison their Persons till the same be paid, as they shall think fit. And if any Person charged to find a Horse, shall send in an unserviceable Horse, or insufficient Arms, or shall not send a sufficient or serviceable Person to ride the said Horse, he shall forfeit and pay, for every such default in any the Cases aforesaid, Ten Pounds, to be levyed as aforesaid. And it is further Ordained, that the said Committee of the Militia, and their several Sub-Committees, shall have Power, and are hereby authorized, to lay and impose upon every Foot Soldier, either of the Trained-Bands or Auxiliaries, that shall neglect or refuse to appear at his Colours upon beat of the Drum 40 *s.* as a Fine for every such neglect or refusal, to be levyed by Distress; and in default thereof, that the said Committee, or their Sub-Committees, shall have hereby Power to commit such Persons so refusing or neglecting his Duty, unto Prison, there to remain until he shall have paid the said Fine of 40 *s.* And the said Committee of the Militia, and their Sub-Committees shall have hereby Power to disarm any Person or Persons residing, or being within the City of *London*, Lines of Communication, Weekly Bills of Mortality, and Hamlets of the *Tower*, and secure their Persons that shall resist, oppose, obstruct, disswade, discourage, or any ways hinder the present Service of the King and Parliament, in the present and future preservation of the Parliament, City, and Places aforesaid, upon any pretence whatsoever, and such Persons shall be, and are hereby accounted and adjudged as Deserters of the Parliament and City. And the said Committee of the Militia shall from time to time hereby have Power to Elect and Choose a Major General, or any other Officer for the Forces raised, and to be raised within the City of *London*, and Places aforesaid, and them to remove and displace at pleasure, and to choose others in his or their steads. And it is further Ordained and Declared, that the said Committee for the Militia of the City of *London*, and Parts adjacent within the Lines of Communication and Parishes mentioned in the Weekly Bills of Mortality, or any of them, whereof three to be Aldermen, are hereby Authorized and Required to put in Execution within the Liberties aforesaid, and also within the Hamlets of the *Tower*, all former Ordinances for the Militia of *London*, that were in force at the time of the passing of this Ordinance, according to the true meaning of the said Ordinances for the safeguarding of the Parliament, City, and Places aforesaid: And also for the suppression of all Forces, Rebellions, Insurrections and Invasions, that may happen within the said Places, or that shall approach against the same. And it is also Ordained, that all Fines imposed by virtue of this Ordinance, shall be taken and employed by the said Committee of the Militia, and their Sub-Committees, for the advancement of the Service in such manner as they shall respectively think fit; and the said Committee of the Militia, and their Sub-Committees,

An. 1647. mittees, for, and touching any Act or Acts done by them, or which hereafter shall be done in Execution of this Ordinance, or any other Ordinance heretofore made, touching the Militia, shall be by the Authority of Parliament saved Harmless and Indempnified. And lastly, That no privileged Place, or Person, within the Limits aforesaid, shall be exempted from the Power of this Ordinance, except the Peers of this Realm, and Members of the House of Commons, and Assistants of the House of Peers, and Officers and Attendants of both Houses respectively, who shall be exempted from this Ordinance, and all things therein contained, Provided that this Ordinance *continue for a Month and no longer.*

John Brown, Cler. Parl.
Hen. Elsing, Cler. Parl. Dom. Com.

The End.

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